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United Nations

Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2004

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Supplement No. 23 (A/59/23)

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Letter of transmittal

[2 July 2004]

Sir,

I have the honour to transmit herewith to the General Assembly the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in accordance with General Assembly resolution 57/140 of 11 December 2002. The report covers the work of the Special Committee during 2004.

(*Signed*) Robert Guba **Aisi**
Chairman of the Special Committee on the Situation with regard
to the Implementation of the Declaration on the Granting of
Independence to Colonial Countries and Peoples

Kofi Annan
Secretary-General of the United Nations
New York

Chapter I

Establishment, organization and activities of the Special Committee

A. Establishment of the Special Committee

1. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples was established by the General Assembly pursuant to its resolution 1654 (XVI) of 27 November 1961. The Special Committee was requested to examine the application of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV) of 14 December 1960, and to make suggestions and recommendations on the progress and extent of the implementation of the Declaration.

2. At its seventeenth session, after considering the report of the Special Committee,[1] the General Assembly adopted resolution 1810 (XVII) of 17 December 1962, by which it enlarged the Special Committee with the addition of seven new members. In paragraph 8 (a) of that resolution, the Assembly invited the Special Committee "to continue to seek the most suitable ways and means for the speedy and total application of the Declaration to all territories which have not yet attained independence".

3. At the same session, by its resolution 1805 (XVII) of 14 December 1962 on the question of South West Africa, the General Assembly requested the Special Committee to discharge, mutatis mutandis, the tasks assigned to the Special Committee for South West Africa by resolution 1702 (XVI) of 19 December 1961. By its resolution 1806 (XVII) of 14 December 1962, the Assembly decided to dissolve the Special Committee for South West Africa.

4. At its eighteenth session, by resolution 1970 (XVIII) of 16 December 1963, the General Assembly decided to dissolve the Committee on Information from Non-Self-Governing Territories and requested the Special Committee to study the information transmitted under Article 73 *e* of the Charter of the United Nations. It also requested the Special Committee to take that information fully into account in examining the situation with regard to the implementation of the Declaration in each of the Non-Self-Governing Territories and to undertake any special study and prepare any special report it might consider necessary.

5. At the same session and at each subsequent session, the General Assembly, after considering the report of the Special Committee,[2] has adopted a resolution renewing the mandate of the Special Committee.

6. On the occasion of the tenth, twentieth, twenty-fifth and thirtieth anniversaries of the Declaration, the General Assembly, by approving the related reports of the Special Committee, adopted resolutions 2621 (XXV) of 12 October 1970, 35/118 of 11 December 1980, 40/56 of 2 December 1985 and 45/33 of 20 November 1990, containing a series of recommendations with a view to facilitating the speedy implementation of the Declaration.

7. At its forty-sixth session, the General Assembly, by adopting resolution 46/181 of 19 December 1991, endorsed as a plan of action for the International Decade for the Eradication of Colonialism the proposals contained in the annex to the report of

the Secretary-General dated 13 December 1991 (A/46/634/Rev.1 and Corr.1). The plan, inter alia, contained the following provisions:

> "22. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, with the cooperation of the administering Powers, should:
>
> "(a) Prepare periodic analyses of the progress and extent of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in each Territory;
>
> "(b) Review the impact of the economic and social situation on the constitutional and political advancement of Non-Self-Governing Territories;
>
> "(c) Organize during the Decade seminars in the Caribbean and Pacific regions alternately, as well as at United Nations Headquarters, to review the progress achieved in the implementation of the plan of action, with the participation of the peoples of the Non-Self-Governing Territories, their elected representatives, the administering Powers, Member States, regional organizations, specialized agencies, non-governmental organizations and experts.
>
> "23. The Special Committee should continue to seek, as a matter of priority, the full cooperation of administering Powers with regard to the dispatch of United Nations visiting missions to Non-Self-Governing Territories.
>
> "24. The Special Committee, with the cooperation of the administering Powers, should make every effort to facilitate and encourage the participation of representatives of Non-Self-Governing Territories in regional and international organizations, as well as in the specialized agencies of the United Nations system, the Special Committee itself and other United Nations decolonization bodies."

8. At its fifty-fifth session, the General Assembly adopted resolution 55/146 of 8 December 2000, declaring the period 2001-2010 the Second International Decade for the Eradication of Colonialism, and called upon Member States to redouble their efforts to implement the plan of action, as contained in the annex to the report of the Secretary-General dated 13 December 1991 (A/46/634/Rev.1 and Corr.1), updated where necessary, to serve as the plan of action for the Second Decade. The updated plan of action is contained in the annex to the report of the Secretary-General entitled "Second International Decade for the Eradication of Colonialism" (A/56/61).

9. At its fifty-eighth session, after considering the report of the Special Committee,[3] the General Assembly adopted resolution 58/111 of 9 December 2003, in which it approved the report of the Special Committee covering its work during 2003 and requested the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out those actions approved by the General Assembly regarding the Second International Decade in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(a) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its fifty-ninth session;

(b) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(c) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(d) To finalize before the end of 2004 a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

(e) To continue to dispatch visiting missions to the Non-Self-Governing Territories in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(f) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(g) To take all necessary steps to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(h) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories.[4]

In addition, the Assembly reaffirmed that the United Nations visiting missions to the Territories were an effective means of ascertaining the situation in the Territories, as well as the wishes and aspirations of their inhabitants, and called upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate United Nations visiting missions to the Territories, and also called upon the administering Powers that had not participated formally in the work of the Special Committee to do so at its session in 2004.

10. In addition to resolution 58/111, the General Assembly adopted 10 other resolutions and 2 decisions relating to specific items considered by the Special Committee in 2003, which are listed below.

1. Resolutions, consensus and decisions concerning specific Territories

Resolutions

Territory	*Resolution number*	*Date of adoption*
New Caledonia	58/106	9 December 2003
Tokelau	58/107	9 December 2003
American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, Turks and Caicos Islands, United States Virgin Islands	58/108 A and B	9 December 2003
Western Sahara	58/109	9 December 2003

Decisions

Territory	*Decision number*	*Date of adoption*
Falkland Islands (Malvinas)	58/511	5 November 2003
Gibraltar	58/526	9 December 2003

2. Resolutions concerning other items

Title	*Resolution number*	*Date of adoption*
Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations	58/102	9 December 2003
Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories	58/103	9 December 2003
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations	58/104	9 December 2003
Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories	58/105	9 December 2003
Dissemination of information on decolonization	58/110	9 December 2003

11. At its 56th plenary meeting, on 5 November 2003, the General Assembly decided to defer consideration of the item entitled "Question of the Falkland Islands (Malvinas)" and to include it in the provisional agenda of its fifty-ninth session (see decision 58/511).

3. Other resolutions and decisions relevant to the work of the Special Committee

12. Other resolutions and decisions adopted by the General Assembly at its fifty-seventh session that were relevant to the work of and were taken into consideration by the Special Committee are listed in a note by the Secretary-General on the organization of work of the Special Committee (A/AC.109/2004/L.1).

4. Membership of the Special Committee

13. As at 9 February 2004, the Special Committee was composed of the following 25 members:

Antigua and Barbuda	Iraq
Bolivia	Mali
Chile	Papua New Guinea
China	Russian Federation
Congo	Saint Lucia
Côte d'Ivoire	Saint Kitts and Nevis
Cuba	Saint Vincent and the Grenadines
Ethiopia	Sierra Leone
Fiji	Syrian Arab Republic
Grenada	Tunisia
India	United Republic of Tanzania
Indonesia	Venezuela
Iran (Islamic Republic of)	

14. A list of representatives who attended the meetings of the Special Committee in 2004 appears in document A/AC.109/2004/INF/1.

15. At the 72nd plenary meeting, on 9 December 2003, the President of the General Assembly drew attention to a letter dated 12 November 2003 from the Permanent Mission of Saint Kitts and Nevis to the United Nations addressed to him (A/58/601), containing a request by Saint Kitts and Nevis to be admitted to membership of the Special Committee. The President informed the Assembly that, having held the necessary consultations with the regional groups, he had nominated Saint Kitts and Nevis as a member of the Special Committee. At the same meeting, the General Assembly, by its decision A/58/411 A, took note of that nomination.

16. At the 80th plenary meeting, on 9 February 2004, the President of the General Assembly drew attention to a letter dated 19 January 2004 from the Permanent Mission of Saint Vincent and the Grenadines to the United Nations addressed to him (A/58/692), containing a request by Saint Vincent and the Grenadines to be admitted

to membership of the Special Committee. The President informed the Assembly that, having held the necessary consultations with the regional groups, he had nominated Saint Vincent and the Grenadines as a member of the Special Committee. At the same meeting, the General Assembly, by its decision A/58/411 B, took note of that nomination.

B. Opening of the meetings of the Special Committee in 2004 and election of officers

17. The Secretary-General addressed the Special Committee at its 1st meeting, on 11 February 2004. The Chairman made a statement at that meeting. Statements were also made by the representatives of Cuba, the Congo, Venezuela, the Syrian Arab Republic, Saint Lucia, Saint Kitts and Nevis, Antigua and Barbuda, Indonesia, Bolivia, Mali, Saint Vincent and the Grenadines, Côte d'Ivoire, Fiji, Grenada and Bolivia. The representative of New Zealand, in its capacity as an administering Power, also made a statement (see A/AC.109/2004/SR.1).

18. At the same meeting, the Special Committee unanimously elected the following officers:

Chairman:
Robert Guba Aisi (Papua New Guinea)

Vice-Chairmen:
Orlando Requeijo Gual (Cuba)
Luc Joseph Okio (Congo)

Rapporteur:
Fayssal Mekdad (Syrian Arab Republic)

C. Organization of work

19. At its 1st meeting, on 11 February 2004, by adopting the suggestions relating to the organization of its work put forward by the Chairman, the Special Committee decided to maintain its Bureau as the only subsidiary body of the Committee. The Special Committee also decided to adopt the suggestions of the Chairman relating to the allocation of items and the procedure for their consideration (see A/AC.109/2004/L.2).

20. Also at the 1st meeting, the Chairman made a statement relating to the organization of work (see A/AC.109/2004/SR.1).

21. At the same meeting, the Chairman also informed the Committee that the delegation of Kazakhstan had requested to participate, as an observer, in the opening meeting of the Committee. The Committee decided to accede to that request.

22. At the 4th meeting, on 8 June 2004, the Chairman informed the Special Committee that the delegation of Spain had expressed the wish to participate in the proceedings of the Special Committee on the question of Gibraltar. The Special Committee decided to accede to that request.

23. At the 9th meeting, on 18 June 2004, the Chairman informed the Special Committee that the delegations of Argentina, Brazil (on behalf of the States

members of the Common Market of the South (MERCOSUR) (Argentina, Brazil, Paraguay and Uruguay), as well as Bolivia and Chile), Guatemala, Paraguay, Peru and Uruguay had requested to participate in the Special Committee's consideration of the question of the Falkland Islands (Malvinas). The Special Committee decided to accede to those requests.

D. Meetings of the Special Committee and its subsidiary bodies

24. In keeping with its resolve to continue taking all possible measures to rationalize the organization of its work, and with the full and close cooperation of its entire membership, the Special Committee and its subsidiary body were again able to keep to a minimum the number of their formal meetings, as indicated below, by holding, whenever possible, informal meetings and extensive consultations through officers of the Special Committee.

1. Special Committee

25. The Special Committee held 11 meetings at Headquarters during 2004, as follows:

(a) First part of the session: 1st meeting, 11 February; and 2nd meeting, 6 April;

(b) Second part of the session: 3rd and 4th meetings, 7 and 8 June; 5th and 6th meetings, 14 June; 7th, 8th and 9th meetings, 16, 17 and 18 June; and 10th and 11th meetings, 21 and 22 June.

26. During the session, the Special Committee considered in plenary meetings the following questions and adopted decisions thereon, as indicated below:

Question	*Meeting*	*Decision*
Dissemination of information on decolonization	3rd	Chap. XII, sect. G
Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations	3rd	Chap. XII, sect. A
Question of sending visiting missions to Territories	3rd	Chap. IV, para. 109
Special Committee decision of 9 June 2003 concerning Puerto Rico	6th	Chap. I, para. 36
Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands	8th	Chap. XII, sect. F
Question of Tokelau	7th	Chap. XII, sect. E

Question	*Meeting*	*Decision*
Falkland Islands (Malvinas)	9th	Chap. XI, para. 175
Gibraltar	4th	Chap. VIII, para. 135
Question of New Caledonia	7th	Chap. XII, sect. D
Western Sahara	4th	Chap. VIII, para. 145
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations	10th	Chap. XII, sect. C
Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories	11th	Chap. XII, sect. B

2. Subsidiary bodies

Bureau

27. At its 1st meeting, on 11 February 2004, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2004/L.2), the Special Committee decided to maintain its Bureau as the only subsidiary body of the Committee. During the period covered by the present report, the Bureau held four meetings.

28. At its 11th meeting, on 22 June 2004, following the statement by the Chairman, the Special Committee adopted a report on pending matters related to its work (A/AC.109/2004/L.14), without a vote.

E. Question of the list of Territories to which the Declaration is applicable

29. At its 1st meeting, on 11 February 2004, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2004/L.2), the Special Committee decided to take the question of the list of Territories to which the Declaration is applicable as appropriate. In taking that decision, the Special Committee recalled that, in its report to the General Assembly at its fifty-eighth session,[5] it had stated that, subject to any directives that the Assembly might wish to give in that connection, it would continue, as part of its programme of work for 2004, to review the list of Territories to which the Declaration applied. The Special Committee also recalled that, in paragraph 5 of its resolution 58/111, the Assembly had approved the report of the Special Committee, including the programme of work envisaged by the Special Committee for 2004.

30. At its 11th meeting, on 22 June 2004, the Special Committee decided to continue its consideration of the question of the list of Territories to which the Declaration is applicable at its next session, subject to any directives that the

General Assembly might give at its fifty-ninth session (see A/AC.109/2004/L.14, para. 11).

Special Committee decision of 9 June 2003 concerning Puerto Rico[6]

31. At its 1st meeting, on 11 February 2004, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2004/L.2), the Special Committee decided to take up as appropriate the item entitled "Special Committee decision of 9 June 2003 concerning Puerto Rico" and to consider it at plenary meetings.

32. At the 4th and 5th meetings, on 8 and 14 June 2004, the Chairman drew attention to a number of communications received from organizations expressing the wish to be heard on Puerto Rico by the Special Committee. At its 4th and 5th meetings, the Special Committee agreed to accede to those requests and heard the representatives of the organizations concerned at its 5th and 6th meetings (see A/AC.109/2004/SR.5 and 6), as indicated below:

(a) *5th meeting*

Carlos Mondríguez Torres, Colegio de Abogados de Puerto Rico; Ángel Ortiz Guzmán, PROELA; Jorge Farinacci García, Frente Socialista; Fernando Martín-García, Puerto Rican Independence Party; Rosa Meneses Abizu-Campos, Partido Nacionalista de Puerto Rico; Fernando Moreno, on behalf of Frente Universitario por la Desmilitarización y la Educación; Nilda Luz Rexach, National Advancement for Puerto Rican Culture, Inc.; José L. Adames, Al Frente; Francisco Velgara, Vieques Support Campaign; Eduardo Villanueva Muñoz, Comité de Derechos Humanos de Puerto Rico; Benjamín Ramos, Pro Libertad Freedom Campaign; Betty Brassel, United for Vieques, Puerto Rico, Inc.; Wilma Reverón Collazo, on behalf of Comité Puerto Rico en las Naciones Unidas; Vanessa Ramos, American Association of Jurists; Sonia Ivette Dueño, Fellowship of Reconciliation (Washington Office on Vieques); and Anita Vélez-Mitchell, PrimaVida, Inc.

(b) *6th meeting*

Mary Anne Grady Flores, Ithaca Catholic Worker Vieques Support Committee; Diego Iníquez, Venceremos Brigade; Nicole Sarmiento, on behalf of Socialist Workers Party; Ismael Guadalupe Ortiz, Comité Pro Rescate y Desarrollo de Vieques, Puerto Rico; Félix Colón Morera, on behalf of Movimiento Independentista Nacional Hostosiano; and Miguel Otero Chávez, on behalf of Gran Oriente Nacional de Puerto Rico.

33. At the 6th meeting, on 14 June, the representative of Cuba introduced draft resolution A/AC.109/2004/L.7 with the following oral revisions:

(a) In the fifteenth preambular paragraph, the words "political prisoners" would be added before the words "who are still in prison for reasons relating to the Vieques Island struggle for peace";

(b) In operative paragraph 7, the words "political prisoners" would be added before the words "serving sentences in United States prisons for cases relating to the Vieques Island peace struggle".

34. At the same meeting, the Special Committee adopted draft resolution A/AC.109/2004/L.7, as orally revised, without a vote.

35. At the same meeting, the representative of Cuba made a statement (see A/AC.109/2004/SR.6).

36. The text of draft resolution A/AC.109/2004/L.7, adopted by the Special Committee at its 6th meeting, on 14 June 2004, appears below:

Special Committee decision of 9 June 2003 concerning Puerto Rico

The Special Committee,

Bearing in mind the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, as well as the resolutions and decisions of the Special Committee concerning Puerto Rico,

Considering that the decade of the 1990s was proclaimed by the General Assembly, in its resolution 43/47 of 22 November 1988, as the Decade for the Eradication of Colonialism, and that by resolution 55/146 of 8 December 2000, the General Assembly declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism,

Bearing in mind the 22 resolutions and decisions adopted by the Special Committee on the question of Puerto Rico, contained in the reports of the Special Committee to the General Assembly,

Recalling that 25 July 2004 marks the one hundred and sixth anniversary of the intervention in Puerto Rico by the United States of America,

Also recalling the diverse initiatives taken by the political representatives of Puerto Rico and the United States of America in recent years, which have thus far failed to set in motion the process of decolonization of Puerto Rico,

Stressing the need for the United States of America to lay the groundwork for the full implementation of General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee concerning Puerto Rico,

Taking into account the measures adopted in 2003 by both Chambers of the Legislative Assembly of Puerto Rico recommending the convening of a Status Assembly of the people of Puerto Rico as part of the search for procedures that would make it possible to launch the process of decolonization of Puerto Rico,

Aware that Vieques Island, Puerto Rico, has been used for over 60 years by the United States Marines to carry out military exercises, with negative consequences for the health of the population, the environment and the economic and social development of that Puerto Rican municipality,

Taking note with satisfaction of the decision adopted by the Government of the United States of America to put an end to the bombings and military exercises on Vieques Island from 1 May 2003,

Recognizing that this decision is the outcome of the prolonged process conducted during years of peaceful protests carried out by the people of Puerto Rico as well as the wide campaign of international solidarity, which has been appropriately reflected in the work and documents of the Special Committee,

Noting the consensus existing among the people and the Government of Puerto Rico on the necessity of ensuring the return to the people of Puerto Rico of all the territory previously used in military exercises, as well as its decontamination,

Noting with satisfaction that as a consequence of the closure of the firing range on Vieques Island, inter alia, the Government of the United States of America decided to close and dismantle the Roosevelt Roads Naval Station in Ceiba,

Aware that the closure and dismantling of this military installation and the return of the occupied land to the people of Puerto Rico represents an extraordinary opportunity for the economic and social development of the eastern portion of Puerto Rico,

Recalling the release of several Puerto Rican political prisoners during the past few years,

Noting the consensus among the people of Puerto Rico in favour of the release of the Puerto Rican political prisoners who are still serving sentences in United States prisons for cases related to the struggle for Puerto Rico's independence, and of those political prisoners who are still in prison for reasons relating to the Vieques Island struggle for peace,

Noting also that the final document of the Thirteenth Summit of the Heads of State or Government of the Movement of Non-Aligned Countries, held in Kuala Lumpur on 24 and 25 February 2003, reaffirms the right of the people of Puerto Rico to self-determination and independence on the basis of General Assembly resolution 1514 (XV) and requests the Special Committee to continue actively pursuing the issue of Puerto Rico,

Having heard statements and testimonies representative of various viewpoints among the people of Puerto Rico and their social institutions,

Having considered the report of the Rapporteur of the Special Committee on the implementation of the resolutions concerning Puerto Rico,[7]

1. *Reaffirms* the inalienable right of the people of Puerto Rico to self-determination and independence in conformity with General Assembly resolution 1514 (XV) and the applicability of the fundamental principles of that resolution to the question of Puerto Rico;

2. *Reiterates* that the Puerto Rican people constitute a Latin American and Caribbean nation that has its own unequivocal national identity;

3. *Calls upon* the Government of the United States of America to assume its responsibility to expedite a process that will allow the Puerto Rican people fully to exercise their inalienable right to self-determination and independence, in accordance with General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee concerning Puerto Rico;

4. *Notes with satisfaction* that, in recent years, progress has been achieved towards the implementation of a mechanism that would ensure the full participation of representatives of all viewpoints prevailing in Puerto Rico, such as the proposals to convene a Status Assembly of the people of Puerto Rico, based on the principle that any initiative for the solution of the political status of Puerto Rico should originate from the people of Puerto Rico;

5. *Reiterates* the hope that the General Assembly will give comprehensive consideration to the question of Puerto Rico in all its aspects;

6. *Urges* the Government of the United States of America, in line with the need to guarantee the Puerto Rican people their legitimate right to self-determination and the protection of their human rights, to return the occupied land and installations on Vieques Island and at the Roosevelt Roads Naval Station to the people of Puerto Rico; respect fundamental human rights, such as the right to health and economic development; assume responsibility for and cover the costs of decontaminating the impact areas previously used in military exercises; and address the serious consequences for the health of the inhabitants of Vieques Island and the environmental degradation;

7. *Requests* the President of the United States of America to release all Puerto Rican political prisoners serving sentences in United States prisons for cases relating to the struggle for the independence of Puerto Rico and those political prisoners serving sentences in United States prisons for cases relating to the Vieques Island peace struggle;

8. *Takes note with satisfaction* of the report prepared by the Rapporteur of the Special Committee,[7] in compliance with its resolution of 9 June 2003;

9. *Requests* the Rapporteur to report to the Special Committee in 2005 on the implementation of the present resolution;

10. *Decides* to keep the question of Puerto Rico under continuous review.

F. Consideration of other matters

1. Compliance of Member States with the Declaration and other resolutions on decolonization

37. At its 1st meeting, on 11 February 2004, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2004/L.2), the Special Committee decided to consider in plenary meetings the question of compliance of Member States with the Declaration and other relevant resolutions on decolonization. The Special Committee took that decision into account in its consideration of specific items.

2. Question of holding a series of meetings away from Headquarters

38. At its 1st meeting, on 11 February 2004, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2004/L.2), the Special Committee decided to take up the question of holding a series of meetings away from Headquarters as appropriate.

39. Having regard to its programme of work for 2004, the Special Committee, at its 11th meeting, on 22 June 2004, considered the question of holding meetings away from Headquarters, taking into account the provisions of paragraph 6 of General Assembly resolution 1654 (XVI) of 27 November 1961 and paragraph 3 (9) of resolution 2621 (XXV) of 12 October 1970, by which the Assembly authorized the Special Committee to meet elsewhere than at United Nations Headquarters whenever and wherever such meetings might be required for the effective discharge of its functions. At the same meeting, the Special Committee decided that it would

consider accepting such invitations as might be received in 2005 and that, when particulars of such meetings had become known, it would request the Secretary-General to seek the necessary budgetary provision in accordance with established procedure (see A/AC.109/2004/L.14, paras. 2 and 3).

3. Pattern of conferences

40. At its 1st meeting, on 11 February 2004, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2004/L.2), the Special Committee decided to take up as appropriate the item entitled "Pattern of conferences". In so doing, the Special Committee was conscious of the fact that it had initiated some important measures in rationalizing its work methods, many of which were subsequently incorporated in a number of resolutions and decisions of the General Assembly. Further recalling the measures it had taken theretofore in that connection, the Special Committee decided to continue to exercise its initiatives in the effective utilization of the limited conference resources and the further reduction of its documentation requirements.

41. The Special Committee also continued the practice of circulating communications and information material, as far as possible, in the form of informal notes and aides-memoires in the original language of submission, thus curtailing documentation requirements and accruing considerable savings for the Organization. A list of the documents issued by the Special Committee in 2004 is contained in the annex to the present chapter.

42. At its 11th meeting, on 22 June 2004, the Special Committee considered the item and noted that, during the year, it had closely followed the guidelines set forth in the resolutions of the General Assembly on the pattern of conferences, in particular resolution 58/250 of 23 December 2003. By organizing its programme of work effectively and holding extensive consultations, the Committee had striven to keep the number of its formal meetings to a minimum. The Special Committee decided, taking into account its probable workload for 2005, to consider holding its meetings in accordance with the following schedule:

(a) *Plenary*

February/March	As required
June/July	Up to 30 meetings (6-8 meetings a week)

(b) *Bureau*

February/July	10 meetings

It was understood that that programme would not preclude the holding of any ad hoc meetings that might be warranted and that the Special Committee might, in early 2005, review the schedule of meetings on the basis of any new developments. The Special Committee decided, subject to any directives given by the General Assembly, to strive, while fulfilling its mandate, to keep its meetings to a minimum (see A/AC.109/2004/L.14, paras. 5-7).

4. Control and limitation of documentation

43. At its 7th meeting, on 16 June 2004, the Special Committee decided to further limit its documentation and no longer issue as separate documents the resolutions it adopted during its substantive session, thus achieving further savings in costs relating to the publication of its official documents.

44. At its 11th meeting, on 22 June 2004, the Special Committee considered the question of the control and limitation of documentation and noted that, during the year, it had taken further measures to control and limit its documentation in compliance with the relevant resolutions of the General Assembly, in particular resolutions 34/50 of 23 November 1979, 39/68 D of 13 December 1984, 51/211 B of 18 December 1996 and 58/250. The Special Committee noted that, in its resolution 50/206 B of 23 December 1995, the General Assembly had approved the recommendation of the Special Committee to replace its verbatim records with summary records. Having reviewed the need for such records, the Special Committee decided to maintain its summary records (see A/AC.109/2004/L.14, paras. 8-10).

5. Cooperation and participation of the administering Powers in the work of the Special Committee

45. In compliance with the provisions of the relevant resolutions of the General Assembly, the delegation of New Zealand, as an administering Power, continued to participate, in accordance with established procedure, in the related work of the Special Committee (see chap. X).

46. The delegations of the United Kingdom of Great Britain and Northern Ireland and the United States of America did not participate in the work of the Special Committee.[8] However, during informal consultations with the Special Committee held in May and June 2004, one administering Power expressed its desire to continue informal dialogue with the Special Committee. The senior-level representative of the United Kingdom participated in the Pacific regional seminar held at Madang, Papua New Guinea, from 18 to 20 May 2004 (see chap. II, annex). The Special Committee expressed deep satisfaction at the deepening of informal cooperation with the United Kingdom and also expressed the hope that that cooperation would eventually lead to its formal participation in the work of the Special Committee.

47. In a related context, the Special Committee, at its 3rd meeting, on 7 June 2004, adopted a resolution on the question of sending visiting missions to Territories. By that resolution, the Special Committee noted with appreciation that, at the invitation of the Government of New Zealand, two visiting missions had been dispatched to Tokelau, in July 1994 and August 2002. It called upon the administering Powers to cooperate or continue to cooperate with the United Nations by receiving United Nations visiting missions in the Territories under their administration (see A/AC.109/2004/L.6).

6. Participation of representatives of Non-Self-Governing Territories in the work of the Special Committee

48. At its 11th meeting, on 22 June 2004, the Special Committee considered the question of the participation of representatives of Non-Self-Governing Territories in

its work and decided that the participation of representatives of Non-Self-Governing Territories in the work of the Special Committee at Headquarters, as recommended in the plan of action for the Second International Decade for the Eradication of Colonialism (A/56/61, annex), should continue to be facilitated through the reimbursement by the United Nations of the expenses relating to their participation under the terms of the guidelines amended by the Committee and approved by the General Assembly at its forty-eighth session (see A/AC.109/L.1791, annex, and A/AC.109/L.1804). In that regard, the Special Committee decided to consider the guidelines at its plenary meetings with a view to amending them further, where appropriate (see A/AC.109/2004/L.14, para. 14).

7. Week of Solidarity with the Peoples of Non-Self-Governing Territories

49. The question of the Week of Solidarity with the Peoples of Non-Self-Governing Territories was considered by the Special Committee at its 2nd meeting, on 6 April 2004.

8. Representation at seminars, meetings and conferences of intergovernmental and other organizations

50. At its 11th meeting, on 22 June 2004, the Special Committee decided to recommend to the General Assembly that the Committee continue to be represented at seminars, meetings and conferences organized by United Nations bodies and other intergovernmental and non-governmental organizations active in the field of decolonization. In keeping with its decision of 11 February 2004, the Committee would authorize its Chairman to hold consultations, as appropriate, concerning its participation in those meetings, as well as the level of representation, when accepting invitations. In accordance with established practice and on the basis of the principle of rotation, the Chairman would hold consultations with the Bureau members, who, in turn, would consult with the members of the Committee from their respective regional groups. The Special Committee also decided that the Chairman would also hold consultations with that member of the Committee whose regional group was not represented in the Bureau. It also decided to recommend that the General Assembly make appropriate budgetary provisions to cover such activities in 2005 (see A/AC.109/2004/L.14, para. 4).

9. Report of the Special Committee to the General Assembly

51. At its 1st meeting, on 11 February 2004, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2004/L.2), and in accordance with paragraph 31 of General Assembly decision 34/401 on the rationalization of the procedures and organization of the Assembly, the Special Committee decided to follow the procedure adopted at its 2003 session[9] in connection with the formulation of its recommendations to the Assembly at its fifty-ninth session.

52. At its 11th meeting, on 22 June 2004, the Special Committee, on the proposal of the Chairman, authorized the Rapporteur to reformulate the Committee's draft resolutions into the format of the General Assembly and to submit directly to the Assembly various chapters of the report in accordance with established practice and procedure.

10. Other questions

53. At its 1st meeting, on 11 February 2004, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2004/L.2), the Special Committee decided, in its examination of specific Territories, to take into account the relevant provisions of General Assembly resolutions and decisions listed in the note by the Secretary-General on the organization of work of the Special Committee (A/AC.109/2004/L.1, para. 11). That decision was taken into account during the consideration of specific Territories and other items in plenary meetings.

G. Relations with United Nations bodies and intergovernmental and non-governmental organizations

1. Economic and Social Council

54. In connection with the Special Committee's consideration of the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations, and in accordance with paragraph 17 of General Assembly resolution 58/104 of 9 December 2003 relating to the item, consultations were held between the President of the Economic and Social Council and the Chairman of the Special Committee to consider appropriate measures for coordination of the policies and activities of the specialized agencies in implementing the relevant resolutions of the General Assembly (see E/2004/47).

2. Commission on Human Rights

55. During the year, the Special Committee closely followed the work of the Commission on Human Rights with regard to the question of the right of peoples to self-determination and its application to peoples under colonial domination, and to the question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent Territories.

56. In its consideration of the Territories concerned, the Special Committee took into account the relevant resolutions adopted by the Commission on Human Rights at its sixtieth session, in 2004, including resolutions on the question of Western Sahara (2004/4), the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (2004/56), the working group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994 (2004/59), the Working Group on Indigenous Populations and the International Decade of the World's Indigenous People of the Sub-Commission on the Promotion and Protection of Human Rights (2004/58), and the work of the Sub-Commission on the Promotion and Protection of Human Rights (2004/60). The Special Committee further took into account the relevant resolutions of the General Assembly, including resolutions 58/149, 58/158, 58/161 and 58/172 of 22 December 2003.

3. Committee on the Elimination of Racial Discrimination

57. During the year, having regard to the relevant provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, the Special

Committee continued to follow the work of the Committee on the Elimination of Racial Discrimination.

4. Specialized agencies and international institutions associated with the United Nations

58. In accordance with the requests contained in the relevant General Assembly resolutions, the Special Committee continued its consideration of the question of the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations. An account of the Special Committee's consideration of the question is set out in chapter VI of the present report.

59. During the year, the Special Committee adopted decisions relating to the extension of assistance to the peoples of Non-Self-Governing Territories. Those decisions are reflected in recommendations of the Special Committee to the General Assembly (see chap. XII).

5. Regional intergovernmental organizations

60. Bearing in mind its previous decisions to maintain contact with the African Union, the Caribbean Community (CARICOM) and the Pacific Islands Forum on a regular basis in order to assist in the effective discharge of its mandate, the Special Committee, as in previous years, closely followed the work of these regional intergovernmental organizations.

6. Movement of Non-Aligned Countries

61. The Special Committee continued to follow closely the work of the Movement of Non-Aligned Countries regarding the issue of decolonization.

7. Non-governmental organizations

62. Having regard to the relevant provisions of General Assembly resolutions 58/110 and 58/111, the Special Committee continued to follow closely the activities of non-governmental organizations having a special interest in the field of decolonization. The participation of non-governmental organizations in the work of the Special Committee during the period under review is covered in detail in the Special Committee documents (see A/AC.109/2004/18) and the present report (see para. 32 above and chap. II, annex, below). The related decisions of the Special Committee are listed in chapter XII of the present report.

H. Action relating to international conventions and programmes

1. International Convention on the Elimination of All Forms of Racial Discrimination

63. The Special Committee continued to monitor related developments in the Territories, having regard to the relevant provisions of article 15 of the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex).

2. Third Decade to Combat Racism and Racial Discrimination

64. The Special Committee continued to take into account the provisions of the relevant resolutions of the United Nations bodies concerned relating to the Third Decade to Combat Racism and Racial Discrimination.

I. Review of work

65. As noted elsewhere in the present report, the reform processes initiated by the Special Committee in 1991, which brought about a number of changes and improvements in its approach, methods and procedures, continued to be actively pursued in 2004. The measures adopted by the Special Committee included the streamlining and consolidation of a number of its resolutions and eliminating duplication in its documentation (see para. 43 above). The Special Committee's recommendation to the General Assembly at its fifty-ninth session on 12 Territories was consolidated into two resolutions (see chap. XII, sects. E and F).

66. The Special Committee also reviewed its resolutions on information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations, the question of sending visiting missions to Territories, implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations and economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories.

67. As noted in chapter II of the present report, the Special Committee held a Pacific regional seminar at Madang, Papua New Guinea, from 18 to 20 May 2004 in implementation of the Plan of Action for the Second International Decade for the Eradication of Colonialism referred to in General Assembly resolution 55/146 of 8 December 2000.

68. In accordance with the mandate entrusted to it by the General Assembly, the Special Committee continued to seek suitable means for the implementation of resolution 1514 (XV) in all Territories to which the Declaration is applicable and formulated specific proposals and recommendations in that regard.

69. On the question of the publicity to be given to the work of the United Nations in the field of decolonization, the Special Committee adopted a resolution on the dissemination of information on decolonization, which it recommends to the General Assembly for action at its fifty-ninth session (see chap. XII, sect. G).

70. The Special Committee also continued its review of the list of Territories to which the Declaration is applicable. With regard to its decision of 9 June 2003 concerning Puerto Rico, the Special Committee heard a number of representatives of organizations concerned and adopted a resolution on the matter, which is set out in paragraph 36 of the present chapter.

71. During the period under review, the Special Committee continued the critical review of its work and its programme of future work by holding a number of informal meetings. The Special Committee continued discussion on the case-by-case work programmes for each of the Non-Self-Governing Territories and held informal consultations on the matter with the administering Powers concerned with a view to improving cooperation between the Committee and the administering Powers (see sect. J below).

72. In accordance with the guidelines established by the General Assembly, the Special Committee was able during the year to reduce the number of its formal meetings and to minimize the wastage resulting from cancellation of scheduled meetings.

J. Future work

73. In accordance with the mandate entrusted to it by the General Assembly since 1961 and subject to further directives from the Assembly at its fifty-ninth session, the Special Committee intends to continue during 2005 to pursue its efforts in bringing a speedy end to colonialism, in accordance with Article 73 of the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

74. The Special Committee will continue to fulfil the responsibilities that have been entrusted to it in the context of the Second International Decade for the Eradication of Colonialism, declared by the General Assembly in its resolution 55/146, and particularly with regard to the implementation of the plan of action contained in document A/56/61.

75. In order to discharge its responsibilities, the Special Committee will keep the situation in the Non-Self-Governing Territories under continuous review, examining the impact of developments concerning each Territory on their political advancement. It will also review the compliance by Member States, particularly the administering Powers, with the relevant decisions and resolutions of the United Nations.

76. In 2005, the Special Committee intends to continue and intensify its dialogue and cooperation with the administering Powers for the purpose of furthering the cause of decolonization through the development of programmes of work for the decolonization of specific Territories. This will be done in agreement with the administering Powers, and with the participation of representatives of the Territories at every stage of discussion. The members of the Special Committee are particularly encouraged by the fruitful meetings held to date with the representatives of New Zealand and Tokelau regarding progress made in the process towards self-determination in that Territory and by the effective United Nations Mission to Tokelau, carried out in August 2002 (see A/AC.109/2002/31). The Special Committee also intends to develop, in consultation with the administering Powers and the people of the Territories concerned, accelerated action plans for the decolonization of certain Territories.

77. The Special Committee has been greatly encouraged by the growing interest and participation of the people of the Non-Self-Governing Territories in the regional seminars it conducts annually and by the wider participation of Member States, specialized agencies and programmes, non-governmental organizations and experts. In this regard, the Special Committee will continue to conduct these seminars, for the purpose of assessing, receiving and disseminating information on the situation in the Territories, in order to facilitate the implementation of its mandate. It will also continue to disseminate information on the work of the Special Committee. In this connection, the Special Committee will hold a seminar in the Caribbean region in 2005.

73. The Special Committee will continue to seek the cooperation of the administering Powers in dispatching United Nations visiting missions to the Territories under their administration. Having regard to the constructive role played by such missions in the past, the Special Committee continues to attach the utmost importance to visiting missions as a means of collecting adequate and first-hand information on conditions in the Territories and on the wishes and aspirations of the peoples concerning their future status. Moreover, visiting missions are important in the context of furthering modalities and action plans for decolonization and observing acts of self-determination. The Special Committee will explore the possibility of combining visiting missions to certain territories with regional seminars in order to optimize its available resources.

79. The Special Committee has consistently reiterated the importance of disseminating information on decolonization as an instrument for furthering the aims of the Declaration. Accordingly, the Committee will continue to use opportunities such as the regional seminars to disseminate information on its activities and on the Territories in an effort to mobilize world public opinion to support and assist the people of the Territories in bringing about a speedy end to colonialism. It also intends to explore the possibility of developing, together with the Department of Public Information, programmes aimed at territories that have requested information about self-determination options.

80. The Special Committee will continue to pay attention to the specific problems of the remaining Non-Self-Governing Territories. The Special Committee is aware that, in addition to general problems facing developing countries, those Territories also suffer handicaps arising from the interplay of such factors as size, remoteness, geographical dispersion, vulnerability to natural disasters, fragility of ecosystems, constraints in transport and communications, great distances from market centres, a highly limited internal market, lack of natural resources and vulnerability to drug trafficking, money-laundering and other illegal activities. The Special Committee will continue to recommend measures to facilitate a sustained and balanced growth of the fragile economies of those Territories and increased assistance in the development of all the sectors of their economies, with particular emphasis on programmes of diversification.

81. It is the intention of the Special Committee to continue to follow closely the implementation of the Declaration by the specialized agencies and the international and regional institutions associated with the United Nations. The Special Committee will hold consultations with those organizations, as appropriate, and will continue the practice of holding consultations between its Chairman and the President of the Economic and Social Council. The objective of those consultations is to facilitate the effective implementation of the decisions of the various United Nations bodies and to foster cooperation between the specialized agencies and the regional organizations in providing assistance for the Non-Self-Governing Territories in a given region.

82. The Special Committee will also strive to follow up on the General Assembly's request that the participation of the Non-Self-Governing Territories in the work of relevant meetings and conferences of the agencies and organizations be facilitated so that the Territories can benefit from the related activities of the specialized agencies and other organizations of the United Nations system.

83. The Special Committee intends to take into account economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories and to continue its cooperation with interested States to ensure that the interests of the peoples of those Territories are protected.

84. In the light of the provisions of the General Assembly resolutions concerning the pattern of conferences, and taking into consideration its experience in previous years as well as its probable workload for 2005, the Special Committee has approved a tentative programme of meetings for 2005, which it commends to the Assembly for approval.

85. The Special Committee suggests that, when the General Assembly, at its fifty-ninth session, examines the question of the implementation of the Declaration, it may wish to take into account the various recommendations of the Special Committee that are reflected in the relevant chapters of the present report and, in particular, to endorse the proposals outlined in the present section in order to enable the Special Committee to carry out the tasks it envisages for 2005. The Special Committee recommends that the Assembly renew its appeal to the administering Powers to take all necessary steps for the implementation of the Declaration and the relevant United Nations resolutions, in accordance with the freely expressed wishes of the peoples of the Territories concerned. In that connection, the Special Committee recommends that the Assembly request all the administering Powers to become involved with the work of the Special Committee in the discharge of its mandate and, in particular, to participate actively in the work relating to the Territories under their respective administrations. The Special Committee also recommends that the Assembly continue to invite the administering Powers to allow representatives of the Territories concerned to participate in the discussions in the Special Political and Decolonization Committee (Fourth Committee) and the Special Committee on the items relating to their respective Territories. Furthermore, the Assembly might also wish to renew its appeal to all States, the specialized agencies and other organizations of the United Nations system to comply with the various requests addressed to them by the Assembly and the Security Council in their relevant resolutions.

86. The Special Committee recommends that, in approving the programme of work outlined above, the General Assembly make adequate provision to cover the activities that the Special Committee envisages for 2005. In that regard, the Special Committee recalls that the programme budget for the biennium 2004-2005 includes resources to provide for the programme of work of the Special Committee for 2004-2005 based on the level of activities approved for 2004, without prejudice to the decisions to be taken by the Assembly at its fifty-ninth session. On that basis, the Special Committee understands that, should any additional provisions be required over and above those included in the proposed programme budget for the biennium 2004-2005, proposals for supplementary requirements would be made to the General Assembly for its approval. Finally, the Special Committee expresses the hope that the Secretary-General will continue to provide it with all the facilities and personnel necessary for the discharge of its mandate, taking into account the various tasks assigned to it by the Assembly as well as those arising from decisions taken by it during the current year.

K. Conclusion of the 2004 session

87. At its 11th meeting, on 22 June 2004, the Chairman made a statement on the occasion of the closing of the 2004 session of the Special Committee (see A/AC.109/2004/SR.11).

Notes

[1] *Official Records of the General Assembly, Seventeenth Session, Annexes*, addendum to agenda item 25, document A/5238.

[2] See the reports of the Special Committee submitted to the General Assembly at its eighteenth to fifty-seventh sessions. For the most recent, see *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 23* (A/57/23); and ibid., *Fifty-eighth Session, Supplement No 23* (A/58/23).

[3] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23* (A/58/23).

[4] See resolution 2911 (XXVII).

[5] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23* (A/58/23), chap. I, para. 27.

[6] Ibid., para. 33.

[7] A/AC.109/2004/L.3.

[8] For the explanation of their non-participation, see documents A/47/86, A/42/651, annex, and *Official Records of the General Assembly, Forty-first Session, Supplement No. 23* (A/41/23), chap. I, paras. 76 and 77.

[9] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23* (A/58/23), chap. I, paras. 51 and 52.

Annex

List of documents of the Special Committee, 2004

Document symbol	*Title*	*Date*
Documents issued in the general series		
A/AC.109/2004/INF/1	List of delegations	18 May 2004
A/AC.109/2004/1	Second International Decade for the Eradication of Colonialism: Pacific Regional Seminar on Advancing the Decolonization Process in the Pacific region, to be held at Madang, Papua New Guinea, from 18 to 20 May 2004: guidelines and rules of procedure	26 March 2004
A/AC.109/2004/2	Pitcairn (working paper)	23 March 2004
A/AC.109/2004/3	British Virgin Islands (working paper)	8 April 2004
A/AC.109/2004/4	Western Sahara (working paper)	23 March 2004
A/AC.109/2004/5	Guam (working paper)	12 March 2004
A/AC.109/2004/6	American Samoa (working paper)	16 March 2004
A/AC.109/2004/7	Gibraltar (working paper)	8 April 2004
A/AC.109/2004/8	Tokelau (working paper)	24 March 2004
A/AC.109/2004/9	Saint Helena (working paper)	21 April 2004
A/AC.109/2004/10	Anguilla (working paper)	31 March 2004
A/AC.109/2004/11	New Caledonia (working paper)	31 March 2004
A/AC.109/2004/12	Falkland Islands (Malvinas) (working paper)	21 April 2004
A/AC.109/2004/13	Montserrat (working paper)	31 March 2004
A/AC.109/2004/14	Bermuda (working paper)	1 April 2004
A/AC.109/2004/15	Cayman Islands (working paper)	8 April 2004
A/AC.109/2004/16	Turks and Caicos Islands (working paper)	13 April 2004
A/AC.109/2004/17	United States Virgin Islands (working paper)	15 April 2004
A/AC.109/2004/18	Dissemination of information on decolonization during the period from June 2003 to May 2004: report of the Secretary-General	24 March 2004

Document symbol	*Title*	*Date*
Documents issued in the limited series		
A/AC.109/2004/L.1	Organization of work: relevant resolutions and decisions of the General Assembly: note by the Secretary-General	10 December 2003
A/AC.109/2004/L.2	Organization of work: note by the Chairman	5 February 2004
A/AC.109/2004/L.3	Special Committee decision of 9 June 2003 concerning Puerto Rico: report prepared by the Rapporteur of the Special Committee	2 April 2004
A/AC.109/2004/L.4	Dissemination of information on decolonization: draft resolution submitted by the Chairman	14 June 2004
A/AC.109/2004/L.5	Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations: draft resolution submitted by the Chairman	2 June 2004
A/AC.109/2004/L.6	Question of sending visiting missions to Territories: draft resolution submitted by the Chairman	14 June 2004
A/AC.109/2004/L.7	Special Committee decision of 9 June 2003 concerning Puerto Rico: draft resolution submitted by Cuba	2 June 2004
A/AC.109/2004/L.8	Question of the Falkland Islands (Malvinas): draft resolution submitted by Bolivia, Chile, Cuba and Venezuela	10 June 2004
A/AC.109/2004/L.9	Question of New Caledonia: draft resolution submitted by Fiji and Papua New Guinea	11 June 2004
A/AC.109/2004/L.10	Question of Tokelau: draft resolution submitted by Fiji and Papua New Guinea	11 June 2004
A/AC.109/2004/L.11	Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands: consolidated draft resolution submitted by the Chairman	11 June 2004

Document symbol	*Title*	*Date*
A/AC.109/2004/L.12	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations: draft resolution submitted by the Chairman	11 June 2004
A/AC.109/2004/L.13	Economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories: draft resolution submitted by the Chairman	16 June 2004
A/AC.109/2004/L.14	Report of the Special Committee	16 June 2004

Chapter II

Second International Decade for the Eradication of Colonialism

88. On 19 December 1991, at its forty-sixth session, the General Assembly adopted resolution 46/181, entitled "International Decade for the Eradication of Colonialism", and the plan of action contained in the annex to the report of the Secretary-General dated 13 December 1991 (A/46/634/Rev.1 and Corr.1). In paragraph 22 (c) of the plan of action, aimed at ushering in, in the twenty-first century, a world free from colonialism, the Assembly, inter alia, requested the Special Committee to

> "organize during the Decade seminars in the Caribbean and Pacific regions alternately, as well as at United Nations Headquarters, to review the progress achieved in the implementation of the plan of action, with the participation of the peoples of the Non-Self-Governing Territories, their elected representatives, the administering Powers, Member States, regional organizations, specialized agencies, non-governmental organizations and experts."

89. At its fifty-fifth session, the General Assembly adopted resolution 55/146 of 8 December 2000, declaring the period 2001-2010 the Second International Decade for the Eradication of Colonialism, and called upon Member States to redouble their efforts to implement the plan of action contained in the annex to the report of the Secretary-General dated 13 December 1991, updated where necessary, to serve as the plan of action for the Second Decade. The updated plan of action is contained in the report of the Secretary-General on the Second Decade (A/56/61).

90. At its 1st meeting, on 11 February 2004, the Special Committee, mindful of the mandate entrusted to it by the General Assembly in the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and by approving the recommendations of its Chairman on the organization of work of the Special Committee for the year (see A/AC.109/2004/L.2), decided to allocate to plenary meetings of the Special Committee, as appropriate, the question of the Second International Decade for the Eradication of Colonialism.

91. The Special Committee considered the questions of the Second International Decade for the Eradication of Colonialism and the Pacific regional seminar on advancing the decolonization process in the Pacific region, held at Madang, Papua New Guinea, from 18 to 20 May 2004, at its 1st, 2nd and 10th meetings, on 11 February, 6 April and 21 June 2004.

92. The Special Committee had before it the guidelines and rules of procedure for the Pacific regional seminar (A/AC.109/2004/1).

93. At its 2nd meeting, on 6 April, following a statement by the Chairman, the Special Committee approved the composition of the official delegation of the Special Committee to the Pacific regional seminar (see A/AC.109/2004/SR.2).

94. The Special Committee also decided to invite United Nations organs, agencies and institutions to apprise the Secretary-General of actions they had taken in implementation of General Assembly resolution 55/146 of 8 December 2000 and to submit a report to the Assembly at its sixtieth session, subject to any directives that

the Assembly might give at its fifty-ninth session in that regard (see A/AC.109/2004/L.14, para. 13).

95. At the 10th meeting, on 21 June 2004, the Chairman of the Special Committee drew attention to the draft report of the Pacific regional seminar, which had been circulated to members of the Special Committee as a conference room paper (see A/AC.109/2004/SR.10).

96. At the same meeting, following a statement by the representative of the Syrian Arab Republic, the Committee adopted the draft report of the Pacific regional seminar and decided to annex it to its report to the General Assembly. The full text of the report of the Pacific regional seminar is contained in the annex to the present chapter.

Annex

Pacific regional seminar on advancing the decolonization process in the Pacific region, held at Madang, Papua New Guinea, from 18 to 20 May 2004

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I. Introduction

1. At its fifty-fifth session, the General Assembly adopted resolution 55/146 of 8 December 2000, declaring the period 2001-2010 the Second International Decade for the Eradication of Colonialism, and called upon Member States to redouble their efforts to implement the plan of action contained in the annex to the report of the Secretary-General dated 13 December 1991 (A/46/634/Rev.1 and Corr.1), updated where necessary, to serve as the plan of action for the Second Decade. The report of the Secretary-General on the Second International Decade for the Eradication of Colonialism (A/56/61) contains an updated plan of action.

2. In its resolution 58/111 of 9 December 2003, the General Assembly approved the report of the Special Committee,[a] which, inter alia, called for the holding of a seminar in the Pacific region in 2004, to be organized by the Special Committee.

3. As stated in the guidelines and rules of procedure for the seminar (A/AC.109/2004/1), the purpose of the seminar is to assess the situation in the Non-Self-Governing Territories[b] in particular their constitutional evolution towards self-determination, in order to facilitate the development by the Special Committee of a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories. The Seminar would also identify areas in which the international community could increase and enhance its participation in programmes of assistance and adopt a comprehensive and integrated approach to ensuring the political and sustainable socio-economic development of the Territories concerned.

4. The topics considered by the seminar will assist the Special Committee in making a realistic evaluation of the situation in the Non-Self-Governing Territories. The seminar gave pre-eminence to a broad range of views of the peoples of those Territories. It also sought to secure the participation of organizations and institutions that are actively involved in the political, economic and social development of those Territories.

5. The contributions of the participants served as a basis for the conclusions and recommendations of the seminar, which will be carefully studied by the Special Committee with a view to submitting proposals to the General Assembly concerning the fulfilment of the objectives of the Second International Decade for the Eradication of Colonialism.

II. Organization of the seminar

6. The seminar was held at Madang, Papua New Guinea, from 18 to 20 May 2004.

7. The seminar held six meetings, in which representatives of States Members of the United Nations, Non-Self-Governing Territories, administering Powers, non-governmental, regional and other organizations and experts took part. The list of participants is given in appendix I. The seminar was organized to encourage an open and frank exchange of views.

8. The seminar was conducted by Robert Guba Aisi, Permanent Representative of Papua New Guinea to the United Nations and Chairman of the Special Committee, with the participation of the following members of the Special Committee: Chile, China, the Congo, Cuba, Fiji, India, Indonesia, Mali, Papua New Guinea, the

Russian Federation, Saint Lucia, the Syrian Arab Republic and Venezuela. New Zealand, the United Kingdom of Great Britain and Northern Ireland and France (as observer) participated in the seminar in their capacity as administering Powers. Argentina, Malaysia, Morocco and Spain also participated.

9. At the 1st meeting, on 18 May 2004, the following members of the Special Committee were appointed Vice-Chairmen of the seminar: Luc Joseph Okio (Congo), Orlando Requeijo Gual (Cuba) and Yuri Rudakov (Russian Federation). The Rapporteur of the Special Committee, Fayssal Mekdad, was appointed Chairman of the drafting group and Rapporteur of the seminar. The drafting group was composed of the representatives of all members of the Special Committee attending the seminar: Chile, China, the Congo, Cuba, Fiji, India, Indonesia, Mali, Papua New Guinea, the Russian Federation, Saint Lucia, the Syrian Arab Republic and Venezuela.

10. The agenda of the seminar was as follows:

1. Role of the Special Committee in facilitating the decolonization of the Non-Self-Governing Territories within the framework of the Second International Decade on the Eradication of Colonialism:

   (a) Assessment of progress so far, the role of the administering Powers; and the participation by the people of the Non-Self-Governing Territories;

   (b) Strengthening and improving cooperation with administering Powers with a view to implementing the decolonization mandate in the remaining Non-Self-Governing Territories.

2. The case of Tokelau:

   (a) Perspective of the administering Power;

   (b) Perspective of Tokelau;

   (c) Views of experts with experience on this case.

3. Perspectives of administering Powers and representatives of Territories in the Pacific region on their present status and the completion of the decolonization process in those Territories.

4. Views of experts on the decolonization process in the Pacific region.

5. Follow-up events to the 2003 Caribbean regional seminar in Anguilla:

   (a) Perspective of the Special Committee;

   (b) Perspective of the administering Power.

6. Views of the representatives of the Caribbean and other Non-Self-Governing Territories on their present status and the completion of the decolonization process in their Territories.

7. Role of the United Nations system in providing assistance to the Non-Self-Governing Territories: presentations by representatives of the United Nations Development Programme.

8. Recommendations on advancing the work for the remainder of the Second International Decade:

(a) Recommendations on advancing the decolonization process in the Non-Self-Governing Territories in the Pacific region;

(b) Recommendations on advancing the decolonization process in the Caribbean and other Non-Self-Governing Territories.

III. Conduct of the seminar

A. Proceedings of the seminar

11. On 18 May, Robert Guba Aisi (Papua New Guinea) opened the seminar in his capacity as its Chairman.

12. The Right Honourable Sir Rabbie Namaliu, Minister for Foreign Affairs and Immigration of Papua New Guinea, addressed the seminar. His statement is reproduced in appendix II.

13. At the same meeting, the Chairman of the Special Committee made an opening statement (see appendix III).

14. At the same meeting, Harumi Sakaguchi, the Resident Representative of the United Nations Development Programme in Port Moresby, Papua New Guinea, read out a message from the Secretary-General (see appendix IV).

15. Also at the same meeting, the Rapporteur of the Special Committee made a statement (see appendix V).

16. On 20 May, the Chairman made a concluding statement.

17. At the same meeting, the participants adopted by acclamation a resolution expressing appreciation to the Government and the people of Papua New Guinea (see appendix VI).

B. Summary of statements and discussions

Member States

18. The representative of Argentina stated that the question of the Falkland Islands (Malvinas) differed from traditional colonial cases and constituted a special and particular form of colonialism that affected the territorial integrity of Argentina. He recalled that resolutions of the General Assembly and the Special Committee noted the existence of a sovereignty dispute between Argentina and the United Kingdom of Great Britain and Northern Ireland over the Territory, which was to be resolved through bilateral negotiations, bearing in mind the interests of the population of the islands. He reiterated the position of his Government that the existence of the sovereignty dispute ruled out the applicability of the right to self-determination, since it would be unacceptable that British citizens residing in the Territory decide a dispute to which their country was a party and that the principle of territorial integrity should prevail over the principle of self-determination in order to prevent any attempt to break the national unity and the territorial integrity of Argentina. He stated that Argentina had repeatedly expressed its determination to resume negotiations with the United Kingdom and to respect the way of life and interests of the inhabitants of the islands. He reiterated his Government's disposition to discuss

all schemes that could lead to a final resolution of the sovereignty dispute in accordance with the relevant resolutions of the United Nations on that question.

19. The representative of the Congo praised the quality of the work done by experts. He thanked the Committee for inviting a former Chairman of the Special Committee as an expert. He reminded the delegates that the road before them all was still long and that there was a need to create more awareness and dispel misunderstanding among participants. He reiterated the importance of dialogue and contact with administering Powers. He used American Samoa as an example: if the United States had been present, conclusions and invitations to visit the Territory could have been arranged during the seminar. In this regard, he commended the United Kingdom of Great Britain and Northern Ireland, New Zealand and France for joining the Committee in its discussions.

20. The representative of Fiji suggested that a regional monitoring mechanism ought to be established to ensure that the proper and correct methods were being utilized to address decolonization. The South Pacific had a number of organizations, such as the South Pacific Applied Geoscience Commission and the South Pacific Regional Environment Programme, that could monitor the activities of the administering Powers in this regard. The Pacific Islands Forum Secretariat was the regional body that was especially suited to play the role of interlocutor between the administering Powers and the Non-Self-Governing Territories in this regard. The monitoring mechanism was already in place, and he was certain that the leaders of the region would be willing to consider assuming this additional responsibility if so requested.

21. The representative of India wanted all 16 of the Non-Self-Governing Territories on the United Nations list to be decolonized. For this, the Special Committee would have to find the appropriate format and timing. He called upon the administering Powers to approach the task at hand in a spirit of cooperation, understanding, political realism and flexibility. He said that his Government would continue to display solidarity with the peoples of the Non-Self-Governing Territories and to cooperate with the Bureau of the Committee on the way forward.

22. The representative of Indonesia emphasized two significant points: the importance of basing the work of the Committee on the firm grounds of the Charter of the United Nations, General Assembly resolution 1514 (XV) and other relevant resolutions and decisions; and the need to focus clearly on the agenda before the Committee and to continue the engagement and cooperation with relevant parties, particularly the administering Powers, through extensive dialogue and consultation in the search for innovative and practical solutions. He also expressed the hope that the seminar would avoid the pitfalls of doing business as usual and looked forward to a broad assessment of the situation in the Non-Self-Governing Territories and a strong set of conclusions and recommendations.

23. The representative of Morocco underlined the importance of General Assembly resolutions 2625 (XXV) and 1541 (XV) for the work of the Committee. He stated that since 2000, the Secretary-General and his Personal Envoy had come to the conclusion that the Settlement Plan of 1991 was inapplicable and recommended a search for a political solution that would meet the approval of all parties. Morocco, he said, was still committed to achieving such a political solution and was ready to enter into negotiations with the other parties to that end. As to the content of this political solution, the representative of Morocco emphasized that the

Moroccan position on Security Council resolution 1495 (2003) was determined in the light of the meaning given to the political solution, always presented as a compromise solution consisting of autonomy within the framework of Morocco's sovereignty. Such autonomy, if agreed by the parties and approved by the population concerned, would put an end to this dispute and lead to the delisting of the issue. Morocco continued to support energetically the efforts of the Secretary-General and his Personal Envoy to achieve a political solution acceptable to all parties. Morocco was more determined than ever to enter into meaningful negotiations with the other parties at any time to achieve a mutually acceptable political solution, particularly in the light of the latest promising developments in the region.

24. The representative of New Zealand, Administrator of Tokelau, reported on recent measures to strengthen and support Tokelau's public services and give effect to the General Fono's decision to have each village council made fully responsible for the activities of public servants on its atoll. The signing of the joint statement of the principles of partnership between Tokelau and New Zealand in November 2003 had laid a solid foundation for the development of Tokelau's relationship with New Zealand. Tokelau's General Fono in the same month had taken some important decisions on Tokelau's political and constitutional future.

25. The representative of Saint Lucia emphasized the important role played by Pacific as well as Caribbean small island developing States in the United Nations. Their leadership in the field of decolonization was especially relevant, since they shared the experience of colonialism with most small island Non-Self-Governing Territories. The outcome of the deliberations of the seminar would serve as an important contribution to the growing volume of material that was reflective, in large measure, of the views of the peoples of the Territories themselves. If the Special Committee was to be successful in bringing the era of formal colonialism to an end, it must continue to ensure to the greatest extent possible that these views were reflected in the resolutions adopted at the United Nations.

26. The representative of Spain reiterated his Government's support for the conclusions of the Anguilla seminar, in particular paragraphs 4, 16, 30, 35 and 37 of its report, which suitably reflected the relevant resolutions and decisions of the General Assembly and the spirit of the Charter of the United Nations. He recalled the need to respect the principle of territorial integrity enshrined in the Charter. He assured the seminar that, following the repeated encouragement from the General Assembly for the Governments of Spain and the United Kingdom of Great Britain and Northern Ireland to continue the ongoing negotiations on the framework of the Brussels process, Spain was fully committed to pursuing the negotiations until a successful outcome was achieved. The European Union wholeheartedly supported this process, which was also the only way to reach a comprehensive agreement that allowed Gibraltar to fully benefit from a new era of European and regional cooperation.

27. The representative of the United Kingdom of Great Britain and Northern Ireland gave a summary of recent constitutional developments in his country's Overseas Territories, emphasizing the importance of a balance in the constitutional relationship that took into account the interests and responsibilities of both parties to the partnership. He suggested that the Committee focus its attention on Bermuda and the United Kingdom Overseas Territories, rather than those Territories that were subject to sovereignty disputes, such as the Falkland Islands (Malvinas) and

Gibraltar, or where progress towards self-determination was not for the time being a realistic proposition, such as Pitcairn. He suggested that the Committee make contact with the Government of Bermuda to assess the situation there. He urged the Committee, in Territories where the main criteria for self-determination had been met, to have flexibility and to avoid making the delisting process unduly long, complicated or costly.

Representatives of the Non-Self-Governing Territories

28. The representative of American Samoa stated that the Territory was an unincorporated United States Territory. The position of the people of American Samoa, and of its duly elected legislative representatives and government officials, was that the current status of the Territory was what they desired. He said that the people of the Territory had a long history of cooperation with the people of the United States of America, and that many of the Territory's citizens now lived within the United States of America, had received their education there and had served in the United States Armed Forces. The partnership had aided both of their peoples, and the bonds of friendship between them were strong. He cautioned that one size does not fit all and said that American Samoans did not see themselves as belonging to the group of colonies. He urged that American Samoa be delisted as a colony of the United States of America.

29. The representative of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO) stated that the decolonization of Western Sahara had been on the agenda of the United Nations since the 1960s and remained a case in which the credibility of the Organization and its decolonization efforts were on the line. Morocco had been illegally occupying the Territory for more than 28 years, during which it had engaged in the systematic violation of human rights in the Territory while exploiting its resources. He stressed the responsibility of the United Nations towards the Sahrawi people for their fair, free and democratic exercise of their right to self-determination. He underlined that a just and lasting resolution to the conflict in Western Sahara would contribute to stability and progress not only in Morocco and Western Sahara but also in the whole of the Maghreb region and that any other solution that did not respect international legality would only lead to more instability and harm the credibility of the United Nations. He reaffirmed his organization's total commitment to the implementation of the United Nations Settlement Plan and to cooperate with the Secretary-General and his Personal Envoy, so that the latest Peace Plan could be implemented without further delay. He urged the United Nations and the international community to protect, and to stop the illegal exploitation of, the natural resources of Western Sahara. He called upon the Special Committee to send a delegation to Western Sahara and to continue to monitor closely the decolonization process there.

30. The representative of the Front de libération nationale kanak socialiste (FLNKS) of New Caledonia stated that it was important for the General Assembly to maintain its efforts to support the peoples of the Non-Self-Governing Territories in their quest for emancipation and sovereignty. The support of the international community was crucial for encouraging the Government of France to see the question of New Caledonia as an issue respecting the legitimacy of the Kanak people. He noted the need to build the foundations of a shared destiny for all people living in the country, including the principle of collegiality and partnership as the basis for government to operate, the development of signs and symbols for the

country (name, anthem, etc.) and measures to protect the employment of New Caledonian citizens.

31. The representative of Pitcairn informed the Special Committee of the latest developments in the territory. The plans to address most of the major concerns expressed at the Caribbean regional seminar in Anguilla were progressively being implemented. He emphasized that communications between the Island Council and the Foreign and Commonwealth Office of the administering Power had improved. In conclusion, he said that Pitcairn was a very unique community in extraordinary circumstances and that the Pitcairn people were reassured by the more balanced and positive approach taken by the United Kingdom of Great Britain and Northern Ireland.

32. The Ulu o Tokelau briefed the seminar participants on progress in the development of governance systems appropriate to Tokelau's situation and needs, including work done recently on the drafting of a constitution for a self-governing Tokelau. He said that Tokelau's objective was to empower the traditional structures and institutions of Tokelau to operate well in the modern context. A law had been enacted to give effect to the provisions of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The General Fono had unanimously decided to explore with New Zealand the option of self-government in free association with New Zealand.

33. The representative of the United States Virgin Islands observed that a priority of decolonization should be the implementation of the blueprint for self-determination, as contained in the resolutions of the General Assembly on decolonization. He cited the need for the development of political education programmes for the people of the Territories, in conjunction with other United Nations agencies, such as the United Nations Development Programme and the Electoral Unit of the Department of Political Affairs, and the importance of reaffirming the parameters for political status legitimacy. He called for a midterm review of the implementation of the plan of action of the Second International Decade for the Eradication of Colonialism to be conducted by the General Assembly in 2005 and the provision of the necessary resources to undertake the long-delayed implementation of the plan of action. He further called for collaboration between the Special Committee and other United Nations bodies, such as the Human Rights Committee, and for the development of a mechanism to annually review the implementation of the specific recommendations on decolonization. He noted that because of inconsistent implementation of resolutions, the relevancy of the United Nations to the self-determination process was often questioned in the Territories, whose peoples were often given mixed signals about their political alternatives.

Representatives of the regional organizations

34. The representative of the Pacific Islands Forum highlighted the latest political developments in the region, especially in New Caledonia, and briefed the seminar on the position of the Forum countries with respect to the decolonization process in the Pacific Non-Self-Governing Territories.

Experts

35. Experts presented papers dealing with questions and issues proposed by the Special Committee:

(a) An expert from Papua New Guinea stated that the ideology of the Committee had to change in order for the Committee to be given its due weight and place within the United Nations system. The Committee had to evolve in order to be a lamp that shed light for the people of the Non-Self-Governing Territories. Repeating the same sentiments about the plight of the people of the Territories did not in any way help them to progress forward out of their current status. The Committee needed to be energized anew or its path would become overgrown with weeds, vines and thorns and would become lost in the labyrinth of a more relevant United Nations system;

(b) An expert from Tokelau spoke of the reaffirmation or return of the pule (authority) to traditional village structures, and the work being done to blend modern and traditional approaches in a way that would meet Tokelau's needs. He said that the May/June 2004 General Fono would finalize arrangements for returning authority to the villages. Discussions were in progress on Tokelau's expressed wish to explore with New Zealand the option of self-government in free association with New Zealand. The issues would be considered at a further constitutional workshop and General Fono to be held in October 2004. The Council for the Ongoing Government of Tokelau would then visit New Zealand for high-level political discussions;

(c) A paper delivered on behalf of an expert from New Zealand addressed the recent political and constitutional changes in Tokelau against a background of general decolonization principles and techniques for the building of national self-government. The paper emphasized the evolutionary nature of self-government in Tokelau, the importance of the partnership between Tokelau and New Zealand and the role to be played by the United Nations and Tokelau's friends and partners in the Pacific as Tokelau tackled the challenges of self-government;

(d) Another expert from New Zealand looked at whether free association with the former administering Power was capable of meeting the interests of both partners. She suggested that the Special Committee might encourage the peoples of certain Territories to use this option as a working model, in order to see whether their existing constitutional arrangements already gave them a full measure of self-government or could be further developed to this end. In conjunction with the administering Power and with the support of the Special Committee, the people of the Territory should put in place a work programme for this purpose. An administering Power was under no obligation to offer the option of integration unless its own population had agreed, through its elected Government or in some other democratic way. Nevertheless, some free associations approved by United Nations organs since 1960 had features of integration. Others had features of independence. Even so, all free association relationships were based on agreement between the partners and protected the important interests of both. The right of the people of the Territory to self-determination was a standard for measuring the balance between the associated State's rights and its obligations, as well as the process by which they had approved their future status. The Special Committee should ensure that work programmes met minimum conditions, including the peoples' access to independent advice and provision for the settlement of all outstanding issues, such as the adequacy of the Territory's infrastructure and the resolution of any conflicts of interest with the administering Power or between different groups in the Territory. Its people would need the continuing protection of Article 73 of the Charter of the United Nations until they had approved their new

status in an act of self-determination. Agreement on individual work programmes for a majority of the remaining non-self-governing Territories would be an achievable and worthwhile goal for the remainder of the Second International Decade for the Eradication of Colonialism;

(e) An expert from Australia observed that most Pacific island colonial Territories had extremely weak economies and very limited infrastructure during the decolonization period, from 1960 to 1980 and their populations had been provided with access to formal education at any level for only a few decades at the very most. None were economically viable, and only Papua New Guinea, at the time, had the national revenue (mainly from the Bougainville mine) to finance state operations. The inevitable consequence was that the direct subsidies provided by colonial Powers were replaced by aid and rents from extractive foreign-operated industries (such as fisheries, logging and mining), and also by income derived from "trading on sovereignty" (such as through stamps, offshore tax havens and flags of convenience). Essentially, responsibility for financing the new Pacific island States shifted from the colonial Powers to the international community. In terms of human development indicators, it was clear that the closer the supportive ties with the former colonial Power, the better off the country. Thus, Niue, Cook Islands and Palau, which had continuing subsidies and access to New Zealand or United States labour markets, had until recently had higher human development indicators than fully independent Papua New Guinea, Solomon Islands, Vanuatu, Samoa, Tonga, Tuvalu and Kiribati. Higher still were the indicators in the remaining colonial territories such American Samoa, Guam, Northern Marianas, French Polynesia, Wallis and Futuna and New Caledonia. But in case these undeniable facts were interpreted as a case for colonialism, one should consider the situation of New Caledonia. Unlike the other colonial territories in the Pacific in which indigenous people were an empowered majority, the indigenous Kanaks had become a disempowered minority in their own country, with barely any stake in its economy. In today's globalizing world, decolonization needed rethinking. She saw the best models of decolonization in those Pacific Island countries that had retained the "continuing supportive ties" or "free association" models;

(f) Another expert from Australia observed that in spite of progress in the decolonization process for Tokelau, other Pacific territories faced barriers to self-determination, such as the ongoing refusal of administering Powers to implement General Assembly resolutions on issues such as immigration, protection of natural resources and removal of military bases and installations from Non-Self-Governing Territories; aid flows from administering Powers that distorted island economies and drew them away from agricultural development having an impact on development options and raising fears as to whether post-independence aid transfers would be maintained at similar levels; and a lack of information about the full spectrum of options available in a referendum on self-determination, rather than just a choice of the status quo or political independence. Developments in each of the listed Pacific Territories were influenced by political, social and economic shifts in the region. The policy of the leading regional organization, the Pacific Islands Forum, towards Non-Self-Governing Territories was also evolving, influenced by changes in the non-listed territories. The expert recommended concrete steps by members of the Special Committee, including closer liaison with the Pacific Islands Forum through the observer status of United Nations representatives at Forum meetings; material support for people in the Territories (scholarships, training, support for attending

United Nations meetings, information on decolonization options); raising the issue of decolonization at the forthcoming Mauritius summit on small island developing states; greater involvement by the United Nations specialized agencies in the Territories; and holding the next Pacific regional seminar in a Non-Self-Governing Territory;

(g) An expert from Papua New Guinea noted that all 16 remaining Non-Self-Governing Territories were small (14 are islands or island groups). Neither viability nor smallness were clearly or consistently defined. Questions of viability were often invoked as tactics in negotiation, particularly in the context of progress towards self-determination. Smallness was widely regarded as a problem, directly linked to questions of viability by indicators of vulnerability. But smallness could, in fact, be a source of strength as well as weakness (many small political entities displayed many features of both kinds). Viability was more than a matter of survival; it was the ability to live and grow. The viability of States involved more than overcoming vulnerabilities and avoiding becoming failing, failed or collapsed States. Existing composite vulnerability indicators were not reliable sources of prediction. Varying combinations of weakness and strength defined the challenges facing small island States. The viability of small States had both internal and external dimensions. It had significant social, economic, environmental and other aspects. Regional cooperation had been an important means by which small island States in the Pacific have overcome weaknesses and developed strengths. Examples included increasing cooperation in law enforcement; defining, developing and promoting agreed standards of good governance; and efforts to strengthen security cooperation. Much still had to be done to turn words into purposeful and effective action. Outcomes of decolonization in the Pacific had varied. Developments in Tokelau, New Caledonia and elsewhere promised even greater variety. Recognition and other responses by regional and other actors had been flexible. In April, Pacific Islands Forum leaders agreed to encourage closer contacts with Non-Self-Governing Territories, by progressively granting them observer status at leaders' meetings and associated meetings of officials. The expert concluded by observing that experience and plans in the Pacific offered food for productive thought and purposeful action by Governments and people in the remaining Non-Self-Governing Territories, and for others interested in the welfare of small political entities, including Members and organs of the United Nations;

(h) An expert from Samoa observed that, although the General Assembly had classified American Samoa as a colony, the people of the Territory believed they were not a colony because they willingly assented to the United States of America taking over their protection, as agreed to in the Tutuila and Manu'a Deeds of Cession of 1900 and 1904, respectively. Because they were happy with the present relationship, given the benefits they were getting out of it, they saw no reason at all why it should be changed. However, a minority element in American Samoa could see the possibility of a change in local attitudes once the general population understood fully the legal and constitutional nature of the present relationship. Against this background, it would be logical for the United Nations and the United States of America to encourage wide public discussion among the people of the Territory, revolving around all issues associated with the existing relationship between the administering Power and American Samoa. Until the people of American Samoa indicated their preference for a different relationship with the

administering Power, the United Nations and the United States of America had no option but to watch patiently with interest from the sideline.

Non-governmental organizations

36. A representative of the Guam Commission on Decolonization (Guam) stated that the Commission remained committed to the provisions of the Charter of the United Nations and recognized the Territory's status as a colony of the United States of America and its rights to self-determination pursuant to the General Assembly resolutions 1514 (XV) and 1541 (XV). Guam was also cognizant of the United Nations declaration of the Second International Decade for the Eradication of Colonialism, acknowledging the role of the administering Power to continue to recognize, pursuant to Chapter XI of the Charter, that the interests of the inhabitants of the Territory were paramount and that the exercise of self-determination was unequivocally a democratic process. The Commission was also aware of the United Nations call for discussions to begin between the administering Power and the Territory. He informed the seminar that the Commission was requesting funding from its administering Power to support the education campaign for the three political status options prescribed by the General Assembly resolution 1541 (XV): integration, free association and independence, ways in which a Non-Self-Governing Territory could attain a full measure of self-government as envisioned in the United Nations Charter.

37. A representative of the Colonized Chamorro Coalition (Guam) stated that the Non-Self-Governing Territory of Guam continued in its quest for self-determination. Its administering Power, the United States of America, had not shown any willingness to allow the indigenous people of Guam, the Chamorros, to exercise their inherent right to self-determination. The unwillingness of Guam's administering Power to grant the Chamorros their inherent right to self-determination was a human rights violation that the United Nations must not allow to persist. The United States of America continued to permit emigration from and immigration into Guam. This action of non-locally controlled emigration and immigration had the effect of marginalizing the Chamorros and diminishing their control of their social, economic, political and cultural development. Guam's administering Power continued to militarize the island. Nuclear submarines were now based on Guam. Air Force bombers and fighters were stationed or would be stationed at Andersen Air Force Base. Most recently, there was talk about stationing an aircraft carrier and its support ships on Guam. The island's political leadership had shown a lack of political will for advancing self-determination for the island.

38. A representative of Agence Kanak de Devéloppement (New Caledonia) observed that with regard to the situation of New Caledonia, the Nouméa Accord contained provisions for a progressive transfer of governmental powers from France to the Non-Self-Governing Territory. The administering Power was changing the course of the transfer. The process was not taking place any more in the form of decolonization but in the form of partitioning the Territory into three different entities. The three provinces of New Caledonia were being turned into three "territorial collectivities of the Republic", with the referring authority not being any more the Territory via its Congress or the Government of New Caledonia, but Paris. Important governmental powers were being transferred to the provinces, giving them power over mining and the environment. Thus, a province could allow whatever mining exploitation it wanted and could implement environmental policies

that fell far short of the World Bank standards for environmental protection. Immigration from France and from other French overseas Territories or departments had never stopped. In southern France, authorities had funded a programme calling for young French people to emigrate to New Caledonia, where they would be offered many employment opportunities and financial aid to start business activities. New Caledonia being part of France, newcomers were not registered as immigrants, but simply as people moving from one part of France to another. Although these new immigrants would not be eligible for the self-determination referendum, one could expect that new population to have an impact on future elections. This was one of the reasons why the United Nations had affirmed that States parties should take the necessary measures to discourage or prevent the systematic influx of outside immigrants and settlers into Territories under colonial domination.

IV. Conclusions and recommendations

39. At its 6th meeting, held on 20 May 2004, the Chairman presented to the participants the following conclusions and recommendations:

Eradicating colonialism, role of the Special Committee and plan of action

1. The United Nations has a valid ongoing role in the process of decolonization. The mandate of the Special Committee is a major political programme of the United Nations.

2. The seminar recommends that the Special Committee, the administering Powers and the Non-Self-Governing Territories engage in constructive discussions to expedite the implementation of the goals of the Second International Decade for the Eradication of Colonialism as contained in General Assembly resolution 55/146 of 8 December 2000.

3. A midterm review of the implementation of the plan of action of the Second International Decade for the Eradication of Colonialism should be conducted by the General Assembly in 2005.

4. The participants reaffirm the role of the Special Committee as the primary vehicle for fostering the process of decolonization and for expediting the goals of the Second International Decade for the Eradication of Colonialism, in accordance with General Assembly resolution 55/146.

5. The seminar recommends that the Special Committee continue to participate actively in monitoring the evolution of the Non-Self-Governing Territories towards self-determination.

6. The Special Committee should include, as appropriate, the participation of the representatives of the Non-Self-Governing Territories, on a case-by-case basis, at the consultations on the discussions between the Special Committee and the administering Powers.

7. Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.

8. The participants note that, in the development of work programmes for individual Territories, the participation of representatives of the Non-Self-Governing Territories in which there is no dispute over sovereignty should be ensured. They also point out that any work programme should include an information and education campaign for the peoples of these Territories, visiting missions of the Special Committee to ascertain the situation in those Territories first-hand and a consultation process acceptable to the peoples in those Territories leading to the exercise of their right to self-determination in accordance with United Nations resolutions.

9. The Special Committee should develop a mechanism to systematically review, on an annual basis, the implementation of the specific recommendations on decolonization with a focus on implementing the mandate as contained in General Assembly resolutions and the plan of action of the Second International Decade for the Eradication of Colonialism.

Right to self-determination

10. The implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960 is not complete as long as there remain Non-Self-Governing Territories that have yet to exercise their right to self-determination, in accordance with the relevant United Nations resolutions, including the resolutions (on special and particular colonial situations) of the General Assembly and the Special Committee on Decolonization.

11. As long as the administering Powers exercise unilateral authority to make laws and other regulations affecting the Non-Self-Governing Territories without their consent, pursuant to such methods as legislation, orders in council and other methods, a Territory should not be considered self-governing.

12. In the process of decolonization, and where there are no disputes over sovereignty, there is no alternative to the principle of self-determination, which is also a fundamental human right. All available options for self-determination are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in the Charter of the United Nations, and as enunciated in General Assembly resolutions 1514 (XV) and 1541 (XV) of 15 December 1960 and other relevant resolutions and decisions.

13. The participants expressed the view that, as long as there are Non-Self-Governing Territories, the inalienable rights of the peoples of those Territories must be guaranteed by the United Nations and the Special Committee in conformity with the Charter of the United Nations and General Assembly resolutions 1514 (XV) and 1541 (XV).

Public awareness and information campaigns

14. Continued examination of the spectrum of options for self-determination by all parties concerned and dissemination of relevant information among the

peoples of the Non-Self-Governing Territories are important elements in achieving the goals of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the plan of action.

15. The participants affirmed the need for the Special Committee to actively embark on a public awareness campaign aimed at fostering an understanding among the people of the Territories of the options for self-determination included in the relevant United Nations resolutions on decolonization, especially within the context of developing programmes of work for specific Territories.

16. The seminar recommended that the Special Committee, in conjunction with the Department of Public Information and other relevant United Nations bodies, develop a programme to disseminate information and raise public awareness in the Territories in order to heighten people's understanding of the legitimate political status options available to them in accordance with the relevant United Nations resolutions, including the 1960 Declaration, and bearing in mind the successful programmes in this vein undertaken for the former Trust Territories.

17. United Nations information centres should be directed to disseminate information on decolonization to the Territories and to the administering Powers. In this regard, the participants stressed that information centres, especially those located in the Pacific and Caribbean regions, could play a significant role in disseminating information, promoting public awareness and mobilizing support for the work of the United Nations with respect to the decolonization process.

18. The Electoral Unit of the Department of Political Affairs of the United Nations Secretariat should be asked to provide support and assistance for any consultation process to be held in a Non-Self-Governing Territory regarding any act of self-determination.

19. The participants encourage the United Nations to assist those Non-Self-Governing Territories that are granted observer status at United Nations world conferences and special sessions of the General Assembly by facilitating the dissemination of information to them regarding the conferences and sessions.

Visiting missions

20. The participants confirmed the need to dispatch periodic visiting missions to the Non-Self-Governing Territories with the aim of assessing the situation in those Territories and of ascertaining the wishes and aspirations of the peoples thereof regarding their future status, and called on the administering Powers to cooperate in facilitating such visiting missions. They noted the numerous requests made at the seminar from representatives of Non-Self-Governing Territories for visiting missions to be undertaken as soon as possible.

Cooperation with and assistance from agencies of the United Nations system and regional organizations

21. The participants supported closer cooperation between the Special Committee and the Economic and Social Council in order to promote increased United Nations assistance in the economic and social sphere to the Non-Self-Governing Territories.

22. Subject to approval by the Economic and Social Council, Non-Self-Governing Territories should be given access to relevant United Nations programmes in the economic and social sphere, including those emanating from the plans of action of United Nations world conferences, in furtherance of capacity-building and consistent with the necessary preparation for the attainment of a full measure of internal self-government.

23. The seminar stressed that the Special Committee should continue to explore ways to strengthen existing measures of support and formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories and seek concrete proposals for the full implementation of the relevant resolutions by the specialized agencies, as detailed in General Assembly resolution 56/67 of 10 December 2001.

24. The participants urged the Special Committee to solicit the assistance of the Economic and Social Council regarding the implementation of Council resolution 2003/51 of 24 July 2003 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and international institutions associated with the United Nations.

25. The participants recognized the vulnerability of small island Non-Self-Governing Territories, which require special consideration and remedies.

26. The seminar reiterated its support for the current participation of the Non-Self-Governing Territories in the relevant regional commissions of the United Nations and in specialized agencies of the United Nations and called for the increased involvement of the Non-Self-Governing Territories in programmes and activities of the United Nations system in furtherance of the decolonization process, subject to the rules of procedure of the General Assembly and in accordance with the relevant United Nations resolutions and decisions, including General Assembly and Special Committee resolutions and decisions on specific Territories.

27. The participants request those members of the Special Committee that are members of the Economic and Social Council to support the inclusion of Non-Self-Governing Territories that are associate members of United Nations regional commissions as observers in the Council, pursuant to the relevant resolution of the Economic Commission for Latin America and the Caribbean and in accordance with the rules of procedure of the Council.

28. The participants recommended that the Special Committee establish closer ties with the Pacific Islands Forum, including by using its observer status at the United Nations and by encouraging Non-Self-Governing Territories in the Pacific region to develop closer contacts with the Pacific Islands Forum secretariat.

Constitutional and self-determination issues in the Non-Self-Governing Territories in the Pacific and the other regions

29. A number of speakers praised the close and constructive cooperation that was evident among Tokelau, New Zealand and the Special Committee. It was recognized that significant progress had been made in recent months towards an act of self-determination by Tokelau. Speakers emphasized the need for the United Nations to continue to provide support and assistance to meet Tokelau's developmental needs. The United Nations Development Programme was singled out for particular praise for the responsive and flexible approach its Apia office was taking to Tokelau's situation. The trust fund set up to provide for Tokelau's future developmental needs was commended to participants' attention as a suitable avenue for further assistance. It was suggested that the Special Committee might look at ways of assisting Tokelau to publicize and promote the trust fund.

30. The participants took note of the ideas expressed by the representative of the Governor of American Samoa, including the idea that a single standard of decolonization should not be applied to every Territory. Furthermore, they expressed their willingness to support the choice of the people of American Samoa as determined through United Nations mechanisms. It is encouraging that the ongoing process for review of the political status of American Samoa will continue this year and the next with the appointment of a Political Status Commission to elicit from the citizens their current desires regarding the Territory's status and examine any need for change. More contacts between the Special Committee, the American Samoa authorities and the administering Power were recommended.

31. The participants took note of the increasing contacts between the representatives of Pitcairn and the administering Power with the aim of solving the economic and social problems faced by the population of the islands. They encouraged both parties to be involved in a process of dialogue on the future of the Territory.

32. With regard to New Caledonia, the participants note with concern that some measures of the Nouméa Accord are still not implemented. At the same time, they note that FLNKS of New Caledonia is seeking the vigilance and support of the United Nations for respect for and implementation of the Accord in a way that will satisfy the aspirations of the indigenous people of New Caledonia. They also note the request of the FLNKS representative that a United Nations visiting mission be dispatched to New Caledonia to assess the situation on the ground.

33. The participants note with concern the military installations and activities of the administering Powers in Non-Self-Governing Territories, which run counter to the rights and interests of the people concerned and which create serious health and environmental hazards.

34. The Special Committee should request the administering Power for Guam, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory. The Special Committee should also request the administering Power to promote the Government of Guam's Chamorro Land Trust Commission programmes for the Chamorro people.

35. The United Nations should further request the administering Power for Guam to continue to recognize and respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam, and to take all necessary measures to respond to the concerns of the territorial Government with regard to the immigration issue.

36. The participants recommend that the Special Committee call upon the United States of America, as the administering Power for Guam, to work with Guam's Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination with a view to facilitating the decolonization of Guam, and to keep the Secretary-General informed of progress to that end.

37. The seminar called upon the administering Power to cooperate with the Government of Guam to develop and promote political education for the indigenous people of Guam, the Chamorros, on their right to self-determination.

38. The participants called upon the Special Committee to engage the administering Power and the representatives of the Territory with a view to developing a specific work programme for Guam.

39. The participants reiterate that the Special Committee should continue to encourage the ongoing negotiations between the Governments of the United Kingdom of Great Britain and Northern Ireland and Spain within the Brussels process, aimed at achieving a solution to the question of Gibraltar in accordance with the relevant resolutions and decisions of the United Nations.

40. The participants reiterate also that the Special Committee should continue to encourage the resumption of negotiations between the Governments of Argentina and the United Kingdom with the aim of finding a solution to the question of the Falkland Islands (Malvinas), taking into consideration the interests of the population of the Territory, in accordance with the relevant resolutions and decisions of the United Nations.

41. With regard to Western Sahara, and taking note of the peace plan for self-determination of the people of Western Sahara proposed by the Personal Envoy of the Secretary-General for Western Sahara, the participants urged the two parties to achieve a just, lasting and mutually acceptable political solution, consistent with the purposes and principles of the Charter of the United Nations and the mandate of the Special Committee. They reaffirmed their strong support for the efforts of the Secretary-General and his Personal Envoy to achieve a mutually acceptable political solution to the dispute over Western Sahara.

Administering Powers and other States Members of the United Nations

42. The participants expressed their satisfaction at the cooperation of New Zealand in the process of decolonization and welcomed its presence at Special Committee meetings.

43. The participants welcomed the presence of the representatives of France and the United Kingdom of Great Britain and Northern Ireland as observers at

the seminar. They also welcomed the statement of the representative of the United Kingdom regarding its intention to continue to engage with the Special Committee with a view to enhancing cooperation. The participants reiterated their call upon other administering Powers to engage the Special Committee in constructive dialogue in future.

44. The Special Committee should express its appreciation to Argentina, Malaysia, Morocco and Spain for their active participation in the seminar and should encourage other Member States to continue to cooperate with the Special Committee.

Role of the regional seminars

45. As activities of the plan of action of the Second International Decade for the Eradication of Colonialism, the regional seminars serve as an effective forum for focused discussion on matters of concern to the Non-Self-Governing Territories and afford opportunities for representatives of the peoples of the Territories to present their views and recommendations to the Special Committee.

46. The regional nature of the seminars, alternating between the Caribbean and the Pacific, remains a crucial element in their success. The administering Powers should be urged to facilitate the participation of the elected representatives of the Territories in the seminars and in sessions of the Special Committee and the Special Political and Decolonization Committee (Fourth Committee) in conformity with the relevant resolutions and decisions of the United Nations.

47. The seminar recommends that the Special Committee integrate, to the extent possible, the recommendations of the regional seminar into its relevant resolutions on decolonization, as those recommendations are important expressions of the will of the people of the Territories.

48. The participants reiterated their appreciation of the outcome of the Anguilla seminar in 2003 and confirmed the need for the Special Committee to review the recommendations of the seminar and to make all possible efforts to include them in its follow-up actions.

49. The participants requested the Special Committee to coordinate its annual seminars with other relevant activities to be conducted in the Non-Self-Governing Territories, including visiting missions, as appropriate, in order to better utilize its resources.

50. The Special Committee should adopt the report of the Pacific regional seminar and include it in its report to the General Assembly, as it did with the reports of the previous regional seminars.

51. The seminar reiterates the importance of the conclusions and recommendations at the previous regional seminars, held in Vanuatu (1990), Barbados (1990), Grenada (1992), Papua New Guinea (1993 and 1996), Trinidad and Tobago (1995), Antigua and Barbuda (1997), Fiji (1998 and 2002), Saint Lucia (1999), the Marshall Islands (2000), Cuba (2001) and Anguilla (2003).

40. Also at the 6th meeting, the participants adopted a resolution expressing appreciation to the Government and the people of Papua New Guinea (see appendix VI).

Notes

[a] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23* (A/58/23).

[b] At present, the list of Territories with which the Special Committee is concerned and to which the Declaration is applicable includes American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, the Falkland Islands (Malvinas), Gibraltar, Guam, Montserrat, New Caledonia, Pitcairn, Saint Helena, Tokelau, the Turks and Caicos Islands, the United States Virgin Islands and Western Sahara.

Appendix I

List of participants

Official delegation of the Special Committee

Papua New Guinea	Robert Guba Aisi Chairman of the Special Committee
	Jimmy Ovia Member of the Special Committee
Congo	Luc Joseph Okio Vice-Chairman of the Special Committee
Cuba	Orlando Requeijo Gual Vice-Chairman of the Special Committee
Mali	Cheickna Keita Member of the Special Committee
Russian Federation	Yury Rudakov Member of the Special Committee
Syrian Arab Republic	Fayssal Mekdad Rapporteur of the Special Committee
Venezuela	Domingo Blanco Member of the Special Committee

States Members of the United Nations

Argentina	Carlos Hernández
Chile*	José Antonio Cousiño
China*	Zhao Yanbo Wang Zhenyu
Fiji*	Emosi Rakai
India*	Harsh Vardhan Singh Manral
Indonesia*	Yonatri Rilmania Imam As'ari Leroy Siagian
Malaysia	Dato Kamilan Maksom
Morocco	Mohammed Loulichki

* Member of the Special Committee.

Papua New Guinea* (host country)	Rabbie Namaliu Peter Barter Jackson Yuasise James Laki
Saint Lucia*	Michelle Joseph
Spain	Francisco Javier García-Larrache

Administering Powers

France (observer)	Thierry Bernadec
New Zealand	Neil Walter
United Kingdom of Great Britain and Northern Ireland	Roy Osborne

Non-Self-Governing Territories

American Samoa	Lelei Peau
New Caledonia	FLNKS Charles Paul Wea
Pitcairn	Kevin B. Young
Tokelau	Patuki Isaako
United States Virgin Islands	Carlyle Corbin
Western Sahara	Kamal Fadel Mohammed

Non-governmental organizations

Agence Kanak de Devéloppement (New Caledonia)	Sarimin Jacques Boengkih
Colonized Chamorro Coalition (Guam)	Rufo Lujan
Commission on Decolonization (Guam)	Eddie L. G. Benavente

* Member of the Special Committee.

Experts

Falaniko Aukuso (Tokelau)

Nic Maclellan (Australia)

Alison Quentin-Baxter (New Zealand)

Asofou So'o (Samoa)

Penelope Schoeffel (Australia)

Andrew Townend (New Zealand)

Peter Donigi (Papua New Guinea)

Edward Paul Wolfers (Papua New Guinea)

Programmes, funds and specialized agencies of the United Nations

United Nations Development Programme	Harumi Sakaguchi
United Nations Children's Fund	Lori Calvo
United Nations Population Fund	Duah Owusu-Sarfo
International Labour Organization	Freddie Rousseau

Regional organization

Pacific Islands Forum	Bernard Bata'anisia

Appendix II

Statement by The Right Honourable Sir Rabbie Namaliu, Minister for Foreign Affairs and Immigration of Papua New Guinea

I am very pleased to be able to welcome you to Papua New Guinea, and to beautiful Madang, for this important seminar on advancing the decolonization process in the Pacific region.

I especially welcome the Bureau members, and the official delegation of the Special Committee on Decolonization, together with representatives of Non-Self-Governing Territories and representatives of non-governmental organizations, civil society and some observers.

This is the third occasion on which Papua New Guinea has had the privilege of hosting these important seminars, a fact that reflects our strong commitment to self-determination and independence in our region and beyond.

We believe that colonial rule, or the continued existence of Non-Self-Governing Territories, represents an era that is our past and should not be our future.

It will not surprise you, but it might surprise people generally, that there are still 16 Non-Self-Governing Territories on the United Nations list, including five in the Pacific region.

As Papua New Guinea rapidly approaches three decades of independence and nationhood, we remain as committed as ever to the progressive decolonization of the remaining Territories in our own region, and beyond.

Since Papua New Guinea was admitted to the United Nations in 1975, our representatives have been particularly active in, and committed to, the work of the Special Committee on Decolonization, sometimes known as the Committee of 24. In that regard, I want to acknowledge the leadership provided by our former Ambassadors to the United Nations, Renagi Lohia, Utula Samana and Peter Donigi, as Chairmen of the Special Committee.

I welcome Peter Donigi to this seminar, and also acknowledge, Mr. Chairman, your commitment to the work of the Special Committee.

I am confident that, under your guidance, the progress achieved in recent years will be maintained and that the mandate of the Special Committee will be progressively implemented, especially in our own region.

One of the true success stories of the United Nations since its inception almost 60 years ago has been the decolonization process on all continents. Many of the countries represented here today achieved nationhood as a result of the work of the United Nations and the Special Committee.

Our particular task is to focus on the position in our own Pacific region, where, as I mentioned, there are still five Territories on the United Nations list.

The five Territories share a number of common features, and common problems in particular.

They are small in area and population, and face real challenges on issues of viability and sustainability — issues that many independent nations in our region also face.

The seminar will seek to examine these key issues, and I welcome this relevant and important focus.

I also believe the seminar needs to examine the reform and revitalization process the General Assembly itself has driven in recent years to ensure that the United Nations remains relevant and effective in a rapidly changing, challenging world.

Time is important, and I hope the seminar can make real progress, on a case-by-case basis, with regard to the five Territories in our region, so that the objectives of this Decade can be achieved.

The issues concerning the remaining Territories are especially challenging. But if good will prevails, then these challenges can be overcome.

In regard to good will, let me give you one example of its success and effectiveness.

The cooperation between the peoples of the Tokelau Islands and their administering Power, New Zealand, could well be emulated in some, if not in all, of the remaining Territories.

I want to commend the people of the Tokelau Islands and the Government of New Zealand, for their spirit of good will and for the progress that has been made.

While the circumstances in the other Territories are different, I am sure we can learn from the Tokelau Islands experience in securing harmony and good will.

Before concluding, I simply want to restate the commitment of the Government of Papua New Guinea to the work of the Special Committee on Decolonization, and to the process of ending colonial rule in the five remaining Territories in our region in particular.

The work of the seminar is important, and I wish you every possible success as you contribute to the achievement of the goals that the United Nations has set for the Special Committee.

Appendix III

Statement by Robert Guba Aisi, Permanent Representative of Papua New Guinea to the United Nations, Chairman of the Special Committee

It is an honour for my country to once again host the decolonization seminar. While we have a full agenda and there is a lot of work to be done, I hope that each of you will take the opportunity to also enjoy the beautiful surroundings.

We are in the fourth year of the Second International Decade for the Eradication of Colonialism. I think we all agree that unless we intensify our work to implement the various resolutions and recommendations to eradicate colonialism, the Special Committee is going to have to call for more decades to complete its work.

While this may happen, it should not be accepted as a given. If we are to enter a third international decade for the eradication of colonialism, at least it should be with fewer Territories on the Committee's list.

The role of the Special Committee has been to assist the people in the Non-Self-Governing Territories in determining their political future without external interference. However, in order to discharge its duties and assist the people in the Territories in achieving self-determination, the Committee needs to take action. It must do more than inform, educate and adopt resolutions to end colonialism. It must be proactive and act as a catalyst to push the process of decolonization along the path envisioned by the United Nations.

And in recent years, I am happy to say, the Committee has started taking concrete actions the results of which we are witnessing today with respect to developments in Tokelau and, hopefully, we will witness with respect to developments in other Territories also.

However, the momentum of the past few years must not be lost, because a lot of work remains to be done. The Committee must continue its work in a proactive, dynamic and innovative manner if it is to bring about concrete and meaningful outcomes.

The Special Committee has been organizing the annual seminars for many years. Their main purpose is to provide an opportunity to discuss many issues on decolonization, to focus on the specific issues pertaining to the Non-Self-Governing Territories in a given region and to hear the concerns stated by the representatives of the Territories and the opinions and positions of experts and academics in this regard.

The seminars have allowed for an informal exchange between members of the Special Committee, representatives of the Non-Self-Governing Territories and representatives of the administering Powers on how to move the decolonization process forward. In this respect, I am particularly happy to see representatives of France, New Zealand and the United Kingdom of Great Britain and Northern Ireland among us.

At this seminar, we are going to be hearing from Tokelau and New Zealand and the experts who have been working with them. We will hear of the tasks

accomplished, the progress achieved and what comes next. By using Tokelau as a case study, we hope that we can all appreciate and learn how agreement on the final status of a Territory can be reached to the satisfaction of all concerned.

One of the aims of the seminar is to pick up where we left off last year in Anguilla and work with the United Kingdom and some of the Territories under its administration to reach a satisfactory solution that will take care of the aspirations of the people in the Territories while addressing the main concerns of the administering Power.

Last year's seminar on the island of Anguilla created important precedents in two respects. For the first time ever, with the consent of the administering Power, the United Kingdom, the seminar was held in a Non-Self-Governing Territory. Also, for the first time, the United Kingdom participated formally in the seminar and engaged in a direct dialogue with the representatives of the United Kingdom-administered Territories and with members of the Special Committee. I am happy to see the United Kingdom represented by the same official this year and look forward to working with him.

I hope that the discussions and deliberations of this seminar will result in action-oriented recommendations for the Special Committee, the administering Powers and the Territories themselves to start moving towards meaningful outcomes.

I look forward to a more dynamic and relevant work programme for the Special Committee as an outcome of this seminar. The Committee must constructively engage the administering Powers and the peoples of the Territories and act as an honest broker in helping them address their concerns.

I am aware of the challenges ahead in chairing this Committee and moving its agenda forward. I hope that I can count on the support of all members of the Committee and their active involvement in order to successfully discharge our mandate.

I also hope that I can also count on the full cooperation and active participation of the administering Powers. Last but not least, I look forward to the constructive participation of the peoples of the Non-Self-Governing Territories in order that we may assist them in determining their final status within the framework of the three options, advocated by the Special Committee: free association, integration with another State or independence.

Appendix IV

Message from the Secretary-General

In this Week of Solidarity with the Peoples of Non-Self-Governing Territories, I am very pleased to convey my greetings to all who have gathered in Madang, Papua New Guinea, for the Pacific regional seminar on decolonization.

It is with a great sense of accomplishment that the United Nations can look back at what has been achieved in the field of decolonization since the early years of the Organization. However, with 16 Non-Self-Governing Territories remaining on the United Nations list, the job is incomplete. It is therefore the duty of the United Nations and the international community to bring the process of decolonization to a successful conclusion.

Cooperation is essential for there to be progress in discharging the mandate of the Special Committee on Decolonization. This annual seminar, which this year focuses on the Pacific-based Territories, is an opportunity for the Committee, the people living in the Territories and the administering Powers to listen to one another, and to the views of experts, and to examine the progress made in upholding the principles enshrined in the Charter of the United Nations and in the Declaration on the Granting of Independence to Colonial Countries and Peoples. I hope this year's seminar will also help all concerned to prepare for the future, by devising strategies to support the political, economic and social advancement of the Non-Self-Governing Territories in their quest for self-determination.

I would like to express my great appreciation to the Government and the people of Papua New Guinea for their generous hospitality in hosting this seminar. Please accept my best wishes for the success of your important deliberations.

Appendix V

Statement by Fayssal Mekdad, Permanent Representative of the Syrian Arab Republic to the United Nations, Rapporteur of the Special Committee

In my capacity as Rapporteur of the Special Committee, I would like to welcome you all to the annual decolonization seminar, held this year in Madang, Papua New Guinea. I should like to brief you on developments since last year's seminar in Anguilla. I shall be brief in order to allow enough time for the presentations of the participants and for the discussions that will ensue.

The seminar in Anguilla was a landmark event. For the first time, the seminar was held in one of the Non-Self-Governing Territories. I should like to take this opportunity to once again appreciate the efforts of the Governments of the United Kingdom of Great Britain and Northern Ireland and Anguilla for making it possible. I would also like to give due acknowledgement to the former Chairman of the Special Committee on Decolonization, Earl Huntley, for his personal contribution and for the innovative approach that led to the success of the Anguilla seminar. That seminar was attended by a large number of chief ministers from the Caribbean Non-Self-Governing Territories, which contributed enormously to the serious discussions and productive dialogue.

In order to build on the understandings reached in Anguilla, following the seminar the former Chairman of the Special Committee had a series of informal consultations with members of the Special Committee, where he discussed his intention to engage the administering Powers to build on the momentum created by Anguilla. He then had meetings with representatives of the United Kingdom and the United States of America, where he discussed the prospects for progress in certain Territories under their administration. He also sent letters to the same administering Powers containing proposals for the advancement of the decolonization process in some of those Territories.

The constitutional reviews are continuing in several of the Territories administered by the United Kingdom, with progress at different stages. The representative of the United Kingdom might wish to brief the participants on the progress made in this area.

As we will hear later in the programme, during the past year Tokelau has made further significant advances towards decolonization, both in its political evolution and in the management of its national and regional interests. On the political front, the General Fono has taken charge of Tokelau's budget and has decided on key development objectives and priorities for the 2003-2004 financial year. Agreement has also been reached with New Zealand, committing it to provide ongoing economic and technical support to Tokelau and outlining the way in which the two partners would work together for Tokelau's benefit.

Following his election in February 2004, the new Chairman of the Special Committee took steps to further develop the working relationships with the administering Powers with a view to carrying forward the implementation of the mandate of the Second International Decade for Eradication of Colonialism and the plan of action. In this respect, he had meetings with representatives of France, New Zealand, the United Kingdom and the United States of America.

One of the innovations of the Anguilla seminar was its new and more focused agenda. While it included broader decolonization issues, its main focus was on the Caribbean region and Bermuda. This focus allowed the participants to concentrate on the questions most relevant to the region and for a dialogue between the Special Committee, the representatives of the Caribbean Governments and the administrative Power.

The Special Committee has decided to follow a similar approach at this year's seminar. As the agenda indicates, in addition to the broader issues, we plan to give special attention to the various aspects of the decolonization process in Tokelau. The Special Committee hopes that this case study will give the participants a chance not only to contribute with their ideas to the process, but also to learn from its valuable experience.

This year, we are fortunate to have among us many of our old friends — our former Chairman, representatives of the Territories and experts — but also some new participants. I should like to welcome them all and wish them a successful and productive seminar.

Appendix VI

Resolution on expression of appreciation to the Government and the people of Papua New Guinea

The participants in the Pacific regional seminar,

Having met from 18 to 20 May 2004 at Madang, Papua New Guinea, for the purpose of assessing the situation in the Non-Self-Governing Territories, with particular emphasis on the Pacific region and the constitutional evolution of those Territories towards self-determination, in order to facilitate the development by the Special Committee of a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories,

Having heard the important statement by The Right Honourable Sir Rabbie Namaliu, Minister for Foreign Affairs and Immigration of Papua New Guinea,

Taking note of the important statements by the representatives of the Non-Self-Governing Territories,

Express their profound gratitude to the Government and the people of Papua New Guinea for providing the Special Committee with the necessary facilities for its seminar, for the outstanding contribution they have made to the success of the seminar and, in particular, for the very generous and kind hospitality and the warm and cordial reception accorded to the participants throughout their stay in Madang.

Chapter III
Dissemination of information on decolonization

97. The Special Committee considered the question of dissemination of information on decolonization at its 3rd meeting, on 7 June 2004.

98. In its consideration of the item, the Special Committee took into account the provisions of the relevant General Assembly resolutions, including, in particular, resolution 58/110 of 9 December 2003 on the dissemination of information on decolonization and resolution 58/111 of the same date on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

99. The Special Committee held consultations with representatives of the Department of Public Information and of the Department of Political Affairs of the United Nations Secretariat at its 3rd meeting, on 7 June (see A/AC.109/2004/SR.3).

100. At the same meeting, the Chairman of the Special Committee drew attention to the report of the Secretary-General on the dissemination of information on decolonization (A/AC.109/2004/18) and a draft resolution on the item submitted by the Chairman (A/AC.109/2003/L.4).

101. At the same meeting, the Special Committee adopted draft resolution A/AC.109/2003/L.4 without a vote.

102. The text of draft resolution A/AC.109/2003/L.4, adopted by the Special Committee at its 3rd meeting, on 7 June 2004, appears in the form of a recommendation of the Special Committee to the General Assembly in part III of the present report (see chap. XII, sect. G).

Chapter IV

Question of sending visiting missions to Territories

103. The Special Committee considered the question of sending visiting missions to Territories at its 3rd meeting, on 7 June 2004.

104. In its consideration of the item, the Special Committee took into account the provisions of the relevant General Assembly resolutions, including, in particular, the pertinent provisions of resolution 58/111 of 9 December 2003 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and resolutions 58/107 and 58/108 A and B of the same date relating to specific Territories.

105. In addition, the Special Committee considered the specific Territories referred to it, taking into account the relevant provisions of General Assembly resolutions 58/110 and 58/111, as well as previous decisions of the Special Committee relating to the question.

106. At its 3rd meeting, on 7 June 2004, the Chairman drew attention to a draft resolution on the item (A/AC.109/2004/L.6).

107. At the same meeting, the Special Committee adopted draft resolution A/AC.109/2004/L.6 without a vote.

108. By adopting at its 7th meeting, on 16 June 2004, a resolution on Tokelau (A/AC.109/2004/L.10) and a consolidated resolution on 11 small Non-Self-Governing Territories (A/AC.109/2004/L.11), the Special Committee endorsed a number of conclusions and recommendations concerning the sending of visiting missions to Territories, as reflected in its recommendations to the General Assembly in chapters X and XI (see also chap. XII, sect. E, relating to Tokelau, and sect. F, relating to American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands).

109. The text of draft resolution A/AC.109/2003/L.6, adopted by the Special Committee at its 3rd meeting, on 7 June 2004, is reproduced below:

Question of sending visiting missions to Territories

The Special Committee,

Having considered the question of sending visiting missions to Territories,

Recalling the relevant resolutions and decisions of the General Assembly and the Special Committee requesting the administering Powers to cooperate fully with the United Nations by receiving visiting missions in the Territories under their administration,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in those Territories and of ascertaining the wishes and aspirations of the peoples thereof regarding their future status,

Conscious that United Nations visiting missions enhance the capacity of the United Nations to assist the peoples of Non-Self-Governing Territories in attaining

the objectives set forth in the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, and in other relevant resolutions of the Assembly,

Noting with appreciation the continuing exemplary cooperation of New Zealand, as an administering Power, in the work of the Special Committee, and that, at the invitation of the Government of New Zealand, two visiting missions were dispatched to Tokelau in July 1994 and in August 2002,[1]

Welcoming the continuing informal dialogue between the Special Committee and some administering Powers,

1. *Stresses* the need to dispatch periodic visiting missions to Non-Self-Governing Territories in order to facilitate the full, speedy and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with respect to those Territories, in accordance with the relevant resolutions of the United Nations on decolonization;

2. *Calls upon* the administering Powers to cooperate or continue to cooperate with the United Nations by receiving United Nations visiting missions in the Territories under their administration, in accordance with the relevant resolutions of the United Nations on decolonization;

3. *Requests* the administering Powers to consider new approaches in the work of the Special Committee, and urges them to cooperate with the Special Committee in its efforts;

4. *Requests* its Chairman to continue consultations with the administering Powers concerned and to report thereon to the Special Committee as appropriate.

Notes

[1] See A/AC.109/2009 and A/AC.109/2003/31.

Chapter V

Economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories

110. The Special Committee considered the question of economic and other activities that affect the interests of the peoples of Non-Self-Governing Territories at its 11th meeting, on 22 June 2004.

111. In its consideration of the item, the Special Committee took into account the provisions of the relevant resolutions of the General Assembly, including, in particular, resolution 58/103 of 9 December 2003 on economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories. The Special Committee also took into account the relevant provisions of resolution 55/146 on the Second International Decade for the Eradication of Colonialism and resolution 58/111 on the implementation of the Declaration. Additionally, the Special Committee took into consideration the relevant documents of other intergovernmental bodies concerned, to which reference is made in the last preambular paragraph of draft resolution A/AC.109/2004/L.13, adopted on 22 June 2004.

112. During its consideration of the item, the Special Committee had before it working papers prepared by the Secretariat containing, inter alia, information on economic conditions, with particular reference to foreign economic activities, in the following Territories: Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat, New Caledonia, the Turks and Caicos Islands and the United States Virgin Islands (A/AC.109/2004/3, 10, 11 and 13-17).

113. At the 11th meeting, on 22 June 2004, the Chairman drew attention to the various working papers prepared by the Secretariat and containing references to economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories and to a draft resolution on the item (A/AC.109/2004/L.13).

114. At the same meeting, the Special Committee adopted draft resolution A/AC.109/2004/L.13 without a vote.

115. The text of draft resolution A/AC.109/2004/L.13, adopted by the Special Committee at its 11th meeting, on 22 June 2004, appears in the form of a recommendation of the Special Committee to the General Assembly in chapter XII, section B, of the present report.

Chapter VI

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

116. The Special Committee considered the question of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations at its 10th meeting, on 21 June 2004.

117. During its consideration of the item, the Special Committee took into account the provisions of General Assembly resolution 58/104 of 9 December 2003 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations, in paragraph 20 of which the Assembly requested the Special Committee to continue to examine the question and to report thereon to the Assembly at its fifty-ninth session. The Special Committee also took into account all other resolutions adopted by the Assembly on the subject, including resolution 55/146 declaring the period 2001-2010 the Second International Decade for the Eradication of Colonialism, as well as the report of the Secretary-General on the Second Decade containing the updated plan of action (A/56/61).

118. The Special Committee also took into account the relevant documents of other intergovernmental bodies concerned, to which reference is made in the fourth preambular paragraph of draft resolution A/AC.109/2004/L.12.

119. At the 10th meeting, on 21 June 2004, the Chairman drew attention to the report of the Secretary-General on the item (A/59/64) and to the information submitted by the specialized agencies and other organizations of the United Nations system on their activities with regard to the implementation of the Declaration (see E/2004/47), as well as to the draft resolution on the item (A/AC.109/2004/L.12).

120. With the Committee's consent, Carlyle Corbin, on behalf of the Government of the United States Virgin Islands, made a statement (see A/AC.109/2004/SR.10).

121. At the same meeting, the Special Committee adopted draft resolution A/AC.109/2004/L.12 without a vote.

122. The text of draft resolution A/AC.109/2004/L.12, adopted by the Special Committee at its 10th meeting, on 21 June 2004, appears in the form of a recommendation of the Special Committee to the General Assembly in chapter XII, section C, of the present report.

Chapter VII

Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

123. The Special Committee considered the question of information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations at its 3rd meeting, on 7 June 2004.

124. During its consideration of the item, the Special Committee took into account the resolutions of the General Assembly concerning information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter and related questions, in particular resolution 1970 (XVIII) of 16 December 1963, by which the Assembly decided, inter alia, to dissolve the Committee on Information from Non-Self-Governing Territories and to transfer certain of its functions to the Special Committee, and resolution 58/102 of 9 December 2003, in paragraph 4 of which the Assembly requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII) of 16 December 1963, in accordance with established procedures, and to report thereon to the Assembly at its fifty-ninth session. Furthermore, the Special Committee took into account the relevant provisions of Assembly resolution 58/111 of 9 December 2003 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and resolution 55/146 of 8 December 2000 relating to the Second International Decade for the Eradication of Colonialism.

125. At the 3rd meeting, on 7 June 2004, the Chairman drew attention to the report of the Secretary-General on the item (A/59/71), which reflected the dates of transmission of information under Article 73 *e* of the Charter of the United Nations by the administering Powers in regard to Territories under their respective administration, as well as to a draft resolution on the item (A/AC.109/2004/L.5).

126. At the same meeting, the Special Committee adopted draft resolution A/AC.109/2004/L.5 without a vote.

127. The text of draft resolution A/AC.109/2004/L.5, adopted by the Special Committee at its 3rd meeting, on 7 June 2004, appears in the form of a recommendation of the Special Committee to the General Assembly in chapter XII, section A, of the present report.

Chapter VIII
Gibraltar, New Caledonia and Western Sahara

128. In its consideration of the questions of Gibraltar, New Caledonia and Western Sahara, the Special Committee took into account General Assembly resolutions 58/106 and 58/109 of 9 December 2003 and decision 58/526 of the same date, as well as other relevant resolutions and decisions.

A. Gibraltar

129. The Special Committee considered the question of Gibraltar at its 4th meeting, on 8 June 2004.

130. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2004/7).

131. At the 4th meeting, the Chairman informed the Special Committee that the delegation of Spain had requested to participate in the Special Committee's consideration of the question. The Special Committee decided to accede to that request.

132. At the same meeting, with the consent of the Special Committee, Peter Caruana, Chief Minister of Gibraltar, made a statement and replied to questions posed to him by the representative of Cuba (see A/AC.109/2004/SR.4).

133. At the same meeting, in accordance with a decision taken at the outset of the meeting, a statement was made by Joseph Bossano, Leader of the Opposition in Gibraltar (see A/AC.109/2004/SR.4).

134. At the same meeting, the representative of Spain made a statement (see A/AC.109/2004/SR.4).

135. On the proposal of the Chairman, the Committee decided to continue consideration of the question at its next session, subject to any directives that the General Assembly might give in that connection at its fifty-ninth session and in order to facilitate consideration of the question by the Special Political and Decolonization Committee (Fourth Committee), to transmit the relevant documentation to the Assembly.

B. New Caledonia

136. The Special Committee considered the question of New Caledonia at its 7th meeting, on 16 June 2004.

137. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2004/11).

138. At the 7th meeting, on 16 June, the Chairman drew the attention of the members of the Committee to the working paper and to the text of a draft resolution contained in document A/AC.109/2004/L.9 (see A/AC.109/2004/SR.7).

139. At the same meeting, the representative of Papua New Guinea introduced draft resolution A/AC.109/2004/L.9 (see A/AC.109/2004/SR.7).

140. At the same meeting, the Special Committee adopted draft resolution A/AC.109/2004/L.9 without a vote.

141. The text of draft resolution A/AC.109/2004/L.9, adopted by the Special Committee at its 7th meeting, on 16 June 2004, appears in the form of a recommendation of the Special Committee to the General Assembly in chapter XII, section D, of the present report.

C. Western Sahara

142. The Special Committee considered the question of Western Sahara at its 3rd meeting, on 7 June 2004.

143. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2004/4).

144. At its 3rd meeting, on 7 June 2004, in accordance with a decision taken at the outset of the meeting, the Special Committee granted a request for hearing to Boukhari Ahmed of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO), who made a statement at the same meeting (see A/AC.109/2004/SR.3).

145. At the same meeting, on the proposal of the Chairman, the Special Committee decided, subject to any directives that the General Assembly might give in that connection at its fifty-ninth session and in order to facilitate consideration of the question by the Special Political and Decolonization Committee (Fourth Committee), to transmit the relevant documentation to the Assembly.

Chapter IX

American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

146. The Special Committee considered the question of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands at its 8th meeting, on 17 June 2004.

147. In its consideration of the item, the Special Committee took into account the provisions of General Assembly resolution 58/111 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. In paragraph 8 (c) of that resolution, the Assembly requested the Special Committee, inter alia, to continue to pay special attention to the Non-Self-Governing Territories and to recommend to the Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination. The Special Committee also took into account relevant resolutions and decisions on the Territories adopted by the Assembly.

148. The delegations of the United Kingdom of Great Britain and Northern Ireland and the United States of America, the administering Powers concerned, did not participate in the Special Committee's consideration of the Territories under their administration. However, as a result of informal consultations with the Special Committee held during its substantive session in 2004, both administering Powers reaffirmed their desire to continue an informal dialogue with the Special Committee on the questions.

149. The Special Committee considered the 11 Territories at its 4th, 7th and 8th meetings, on 8, 16 and 17 June 2004.

150. During its consideration of the items, the Special Committee had before it the working papers prepared by the Secretariat on the Territories (A/AC.109/2004/2, 3, 5, 6, 9, 10 and 13-17).

151. At its 4th meeting, on 8 June 2004, with the consent of the Special Committee, Carlyle Corbin, representative of the Government of the United States Virgin Islands, made a statement (see A/AC.109/2004/SR.4) and replied to questions posed to him by the representatives of Saint Kitts and Nevis, Côte d'Ivoire, Papua New Guinea and Bolivia (see A/AC.109/2004/SR.4).

152. At its 7th meeting, on 16 June 2004, in accordance with a decision taken at the outset of the meeting, Al Ebanks made a statement on behalf of the Cayman Islands Chamber of Commerce and replied to questions posed to him by the representatives of Cuba and Bolivia (see A/AC.109/2004/SR.7).

153. On 16 June 2004, the Committee had before it the consolidated draft resolution on the item submitted by the Chairman (A/AC.109/2004/L.11).

154. At the 8th meeting, on 17 June 2004, the Chairman made a statement wherein he introduced the consolidated draft resolution (A/AC.109/2004/L.11) relating to the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the

Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands.

155. At the same meeting, the Special Committee adopted draft resolution A/AC.109/2004/L.11 without a vote.

156. The text of draft resolution A/AC.109/2004/L.11, adopted by the Special Committee at its 8th meeting, on 17 June 2004, appears in the form of a recommendation of the Special Committee to the General Assembly in chapter XII, section F, of the present report.

Chapter X
Tokelau

157. The Special Committee considered the question of Tokelau at its 7th meeting, on 16 June 2004.

158. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (see A/AC.109/2004/8).

159. At the 7th meeting, on 16 June 2004, with the consent of the Special Committee, the Ulu o Tokelau and the Administrator of Tokelau made statements (see A/AC.109/2004/SR.7).

160. At the same meeting, statements were made by the representatives of the Syrian Arab Republic, Bolivia, the Congo, Chile and Cuba (see A/AC.109/2004/SR.7).

161. At the same meeting, the representative of Papua New Guinea made a statement wherein he introduced draft resolution A/AC.109/2004/L.10 and oral revisions thereto, by which the word "associate" would be deleted before the words "membership in the Forum Fisheries Agency" and a new operative paragraph 13 would be inserted before the last operative paragraph (to be renumbered accordingly) which would read as follows:

> "13. *Notes with satisfaction* the invitation of the Ulu o Tokelau to the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to attend the workshop of the Special Constitutional Committee on Tokelau to be held in October 2004 in the Tokelau Islands".

162. At the same meeting, the Special Committee adopted draft resolution A/AC.109/2004/L.11, as orally revised, without a vote.

163. The text of draft resolution A/AC.109/2004/L.11, adopted by the Special Committee at its 7th meeting, on 16 June 2004, appears in the form of a recommendation of the Special Committee to the General Assembly in chapter XII, section E, of the present report.

Chapter XI
Falkland Islands (Malvinas)

164. The Special Committee considered the question of the Falkland Islands (Malvinas) at its 9th meeting, on 18 June 2004.

165. In its consideration of the item, the Special Committee took into account General Assembly decision 58/511 of 5 November 2003, as well as other relevant resolutions and decisions.

166. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2004/12).

167. At the 9th meeting, the Chairman informed the Special Committee that the delegations of Argentina, Brazil, Guatemala, Paraguay, Peru and Uruguay had requested to participate in the Special Committee's consideration of the item. The Special Committee decided to accede to the requests.

168. At the same meeting, in accordance with a decision taken at its 7th meeting, statements were made by The Honourable Michael Summers and The Honourable Roger Edwards of the Legislative Council of the Falkland Islands, Maria Angélica Vernet and Alejandro Betts (see A/AC.109/2004/SR.9).

169. At the same meeting, the representative of Cuba made a statement (see A/AC.109/2004/SR.9).

170. At the same meeting, the representative of Chile introduced, also on behalf of Bolivia, Cuba and Venezuela, a draft resolution on the item (A/AC.109/2004/L.8).

171. At the same meeting, the Minister for Foreign Affairs, International Trade and Worship of Argentina made a statement (see A/AC.109/2004/SR.9).

172. At the same meeting, statements were made by the representatives of Brazil (on behalf of the Rio Group), Paraguay (on behalf of the MERCOSUR countries, plus Bolivia, Chile and Peru), Uruguay, Peru, China, the Syrian Arab Republic, Indonesia, Venezuela, Bolivia, Grenada, Cuba, the Congo, Tunisia, Sierra Leone, Fiji and Ethiopia (see A/AC.109/2004/SR.9).

173. At the same meeting, the Committee adopted draft resolution A/AC.109/2004/L.8 without a vote.

174. At the same meeting also, the Minister for Foreign Affairs, International Trade and Worship of Argentina made a further statement (see A/AC.109/2004/SR.9).

175. The text of draft resolution A/AC.109/2004/L.12, adopted by the Special Committee at its 9th meeting, on 18 June 2004, is reproduced below:

Question of the Falkland Islands (Malvinas)

The Special Committee,

Having considered the question of the Falkland Islands (Malvinas),

Aware that the maintenance of colonial situations is incompatible with the United Nations ideal of universal peace,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960, 2065 (XX) of 16 December 1965, 3160 (XXVIII) of 14 December 1973, 31/49 of 1 December 1976, 37/9 of 4 November 1982, 38/12 of 16 November 1983, 39/6 of 1 November 1984, 40/21 of 27 November 1985, 41/40 of 25 November 1986, 42/19 of 17 November 1987 and 43/25 of 17 November 1988, Special Committee resolutions A/AC.109/756 of 1 September 1983, A/AC.109/793 of 21 August 1984, A/AC.109/842 of 9 August 1985, A/AC.109/885 of 14 August 1986, A/AC.109/930 of 14 August 1987, A/AC.109/972 of 11 August 1988, A/AC.109/1008 of 15 August 1989, A/AC.109/1050 of 14 August 1990, A/AC.109/1087 of 14 August 1991, A/AC.109/1132 of 29 July 1992, A/AC.109/1169 of 14 July 1993, A/AC.109/2003 of 12 July 1994, A/AC.109/2033 of 13 July 1995, A/AC.109/2062 of 22 July 1996, A/AC.109/2096 of 16 June 1997, A/AC.109/2122 of 6 July 1998, A/AC.109/1999/23 of 1 July 1999, A/AC.109/2000/23 of 11 July 2000, A/AC.109/2001/25 of 29 June 2001, A/AC.109/2002/25 of 19 June 2002 and A/AC.109/2003/24 of 16 June 2003 and Security Council resolutions 502 (1982) of 3 April 1982 and 505 (1982) of 26 May 1982,

Distressed that, notwithstanding the time that has elapsed since the adoption of General Assembly resolution 2065 (XX), this prolonged dispute has not yet been settled,

Aware of the interest of the international community in the resumption by the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland of their negotiations in order to find as soon as possible a peaceful, just and lasting solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas),

Expressing its preoccupation over the fact that the good level of relations between Argentina and the United Kingdom has not yet led to negotiations on the question of the Falkland Islands (Malvinas),

Considering that this situation should facilitate the resumption of the negotiations in order to find a peaceful solution to the dispute over sovereignty,

Reaffirming the principles of the Charter of the United Nations on the non-use of force or the threat of force in international relations and the peaceful settlement of international disputes,

Calling attention to the importance of the Secretary-General continuing his efforts to give full effect to the mission entrusted to him by the General Assembly in the resolutions on the question of the Falkland Islands (Malvinas),

Reaffirming the need for the parties to take due account of the interests of the population of the islands in accordance with the provisions of the General Assembly resolutions on the question of the Falkland Islands (Malvinas),

1. *Reiterates* that the way to put an end to the special and particular colonial situation in the question of the Falkland Islands (Malvinas) is the peaceful and negotiated settlement of the dispute over sovereignty between the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland;

2. *Takes note* of the views expressed by the President of Argentina on the occasion of the fifty-eighth session of the General Assembly;

3. *Regrets* that, in spite of the widespread international support for a negotiation between the Governments of Argentina and the United Kingdom that includes all aspects on the future of the Falkland Islands (Malvinas), the implementation of the General Assembly resolutions on this question has not yet started;

4. *Requests* the Governments of Argentina and the United Kingdom to consolidate the current process of dialogue and cooperation through the resumption of negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas), in accordance with the provisions of General Assembly resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25;

5. *Reiterates its firm support* for the mission of good offices of the Secretary-General in order to assist the parties in complying with the request made by the General Assembly in its resolutions on the question of the Falkland Islands (Malvinas);

6. *Decides* to keep under review the question of the Falkland Islands (Malvinas) subject to the directives that the General Assembly has issued and may issue in that regard.

Chapter XII
Recommendations

A. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

Recommendation of the Special Committee

176. The text of draft resolution A/AC.109/2004/L.5, adopted by the Special Committee at its 3rd meeting, on 7 June 2004, appears below in the form of a recommendation of the Special Committee to the General Assembly.

Draft resolution I
Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

The General Assembly,

Recalling its resolution 1970 (XVIII) of 16 December 1963, in which the Assembly requested the Special Committee to study the information transmitted to the Secretary-General in accordance with Article 73 *e* of the Charter of the United Nations and to take such information fully into account in examining the situation with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Recalling also its resolution 58/102 of 9 December 2003, in which the Assembly requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Stressing the importance of timely transmission by the administering Powers of adequate information under Article 73 *e* of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

Having examined the report of the Secretary-General,[1]

1. *Reaffirms* that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter of the United Nations, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

2. *Requests* the administering Powers concerned to transmit or continue to transmit to the Secretary-General the information prescribed in Article 73 *e* of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories;

3. *Requests* the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

4. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to discharge the functions entrusted to it under General Assembly resolution 1970 (XVIII), in accordance with established procedures.

B. Economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories

Recommendation of the Special Committee

177. The text of draft resolution A/AC.109/2004/L.13, adopted by the Special Committee at its 11th meeting, on 22 June 2004, appears below in the form of a recommendation of the Special Committee to the General Assembly.

Draft resolution II
Economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories

The General Assembly,

Having considered the item entitled "Economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[2]

Recalling its resolution 1514 (XV) of 14 December 1960, as well as all other relevant Assembly resolutions, including, in particular, resolutions 46/181 of 19 December 1991 and 55/146 of 8 December 2000,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and on the exercise of their right to self-determination in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV) is contrary to the purposes and principles of the Charter,

Reaffirming further that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

Aware of the special circumstances of the geographical location, size and economic conditions of each Territory, and bearing in mind the need to promote the economic stability, diversification and strengthening of the economy of each Territory,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Conscious also that foreign economic investment, when undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes, could make a valid contribution to the socio-economic development of the Territories and also to the exercise of their right to self-determination,

Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

1. *Reaffirms* the right of peoples of Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as their right to the enjoyment of their natural resources and their right to dispose of those resources in their best interest;

2. *Affirms* the value of foreign economic investment undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes in order to make a valid contribution to the socio-economic development of the Territories;

3. *Reaffirms* the responsibility of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of their peoples over their natural resources;

4. *Reaffirms its concern* about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, and of their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

5. *Affirms* the need to avoid any economic and other activities that adversely affect the interests of the peoples of the Non-Self-Governing Territories;

6. *Calls once again upon* all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises;

7. *Reiterates* that the damaging exploitation and plundering of the marine and other natural resources of the Non-Self-Governing Territories, in violation of the

relevant resolutions of the United Nations, are a threat to the integrity and prosperity of those Territories;

8. *Invites* all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of the Non-Self-Governing Territories over their natural resources is fully respected and safeguarded in accordance with the relevant resolutions of the United Nations on decolonization;

9. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories in accordance with the relevant resolutions of the United Nations on decolonization;

10. *Calls upon* the administering Powers concerned to ensure that no discriminatory working conditions prevail in the Territories under their administration and to promote in each Territory a fair system of wages applicable to all the inhabitants without any discrimination;

11. *Requests* the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV);

12. *Appeals* to the mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories;

13. *Decides* to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of their peoples, including the indigenous populations, and at promoting the economic and financial viability of those Territories;

14. *Requests* the Special Committee to continue to examine this question and to report thereon to the General Assembly at its sixtieth session.

C. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

Recommendation of the Special Committee

178. The text of draft resolution A/AC.109/2004/L.12, adopted by the Special Committee at its 10th meeting, on 21 June 2004, appears below in the form of a recommendation of the Special Committee to the General Assembly.

Draft resolution III
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Having also considered the report of the Secretary-General[3] and the report of the Economic and Social Council[4] on the item,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[5]

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 and the resolutions of the Special Committee, as well as other relevant resolutions and decisions, including in particular Economic and Social Council resolution 2002/30 of 25 July 2002,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

Conscious of the need to facilitate the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV),

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Welcoming the assistance extended to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Also welcoming the current participation in the capacity of observers of those Non-Self-Governing Territories that are associate members of regional commissions in the world conferences in the economic and social sphere, subject to the rules of procedure of the General Assembly and in accordance with relevant United Nations resolutions and decisions, including resolutions and decisions of the Assembly and the Special Committee on specific Territories,

Noting that only some specialized agencies and other organizations of the United Nations system have been involved in providing assistance to Non-Self-Governing Territories,

Stressing that, because the development options of the small island Non-Self-Governing Territories are limited, there are special challenges to planning for and implementing sustainable development and that those Territories will be constrained

in meeting the challenges without the continuing cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

Stressing also the importance of securing the necessary resources for funding expanded programmes of assistance for the peoples concerned and the need to enlist the support of all major funding institutions within the United Nations system in that regard,

Reaffirming the mandates of the specialized agencies and other organizations of the United Nations system to take all appropriate measures, within their respective spheres of competence, to ensure the full implementation of General Assembly resolution 1514 (XV) and other relevant resolutions,

Expressing its appreciation to the African Union, the Pacific Islands Forum, the Caribbean Community and other regional organizations for the continued cooperation and assistance they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of programmes of assistance to the peoples concerned,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations decisions relating to decolonization,

Bearing in mind the extremely fragile economies of the small island Non-Self-Governing Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea-level rise, and recalling the relevant resolutions of the General Assembly,

Recalling General Assembly resolution 58/104 of 9 December 2003 on the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations,

1. *Takes note* of the report of the Secretary-General;[3]

2. *Recommends* that all States intensify their efforts in the specialized agencies and other organizations of the United Nations system to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and other relevant resolutions of the United Nations;

3. *Reaffirms* that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant General Assembly resolutions;

4. *Reaffirms also* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspirations of the peoples of the Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;

5. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, and requests all the specialized agencies and other organizations of the United Nations system to implement the relevant provisions of those resolutions;

6. *Requests* the specialized agencies and other organizations of the United Nations system and international and regional organizations to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories;

7. *Urges* those specialized agencies and organizations of the United Nations system that have not yet provided assistance to Non-Self-Governing Territories to do so as soon as possible;

8. *Requests* the specialized agencies and other organizations and institutions of the United Nations system and regional organizations to strengthen existing measures of support and formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories, within the framework of their respective mandates, in order to accelerate progress in the economic and social sectors of those Territories;

9. *Requests* the specialized agencies and other organizations of the United Nations system concerned to provide information on:

(a) Environmental problems facing the Non-Self-Governing Territories;

(b) The impact of natural disasters, such as hurricanes and volcanic eruptions, and other environmental problems, such as beach and coastal erosion and droughts, on those Territories;

(c) Ways and means to assist the Territories to fight drug trafficking, money-laundering and other illegal and criminal activities;

(d) The illegal exploitation of the marine resources of the Territories and the need to utilize those resources for the benefit of the peoples of the Territories;

10. *Recommends* that the executive heads of the specialized agencies and other organizations of the United Nations system formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and submit the proposals to their governing and legislative organs;

11. *Also recommends* that the specialized agencies and other organizations of the United Nations system continue to review at the regular meetings of their governing bodies the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

12. *Welcomes* the continuing initiative exercised by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system, including the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, and in providing assistance to the peoples of the Non-Self-Governing Territories;

13. *Encourages* Non-Self-Governing Territories to take steps to establish and/or strengthen disaster preparedness and management institutions and policies;

14. *Requests* the administering Powers concerned to facilitate, when appropriate, the participation of appointed and elected representatives of Non-Self-Governing Territories in the relevant meetings and conferences of the specialized agencies and other organizations of the United Nations system, in accordance with relevant United Nations resolutions and decisions, including resolutions and decisions of the General Assembly and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on specific Territories, so that the Territories may benefit from the related activities of those agencies and organizations;

15. *Recommends* that all Governments intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to accord priority to the question of providing assistance to the peoples of the Non-Self-Governing Territories;

16. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

17. *Commends* the Economic and Social Council for its debate and resolution on this question, and requests it to continue to consider, in consultation with the Special Committee, appropriate measures for the coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

18. *Requests* the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

19. *Requests* the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies may take the necessary measures to implement the resolution, and also requests the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

20. *Requests* the Special Committee to continue to examine the question and to report thereon to the Assembly at its fifty-ninth session.

D. Question of New Caledonia

Recommendation of the Special Committee

179. The text of draft resolution A/AC.109/2004/L.9, adopted by the Special Committee at its 7th meeting, on 16 June 2004, appears below in the form of a recommendation of the Special Committee to the General Assembly.

Draft resolution IV
Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia,[6]

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. *Welcomes* the significant developments that have taken place in New Caledonia as exemplified by the signing of the Nouméa Accord of 5 May 1998 between the representatives of New Caledonia and the Government of France;[7]

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony;

3. *Notes* the relevant provisions of the Nouméa Accord aimed at taking more broadly into account the Kanak identity in the political and social organization of New Caledonia, and also those provisions of the Accord relating to control of immigration and protection of local employment;

4. *Also notes* the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, such as international organizations in the Pacific region, the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, according to their regulations;

5. *Further notes* the agreement between the signatories of the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

6. *Welcomes* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region;

7. *Calls upon* the administering Power to transmit information regarding the political, economic and social situation of New Caledonia to the Secretary-General;

8. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians, especially the indigenous Kanak people, according to the letter and the spirit of the Nouméa Accord, which is based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

9. *Welcomes* measures that have been taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon and Nouméa Accords;

10. *Also welcomes* the importance attached by the parties to the Matignon and Nouméa Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

11. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous Kanak culture of New Caledonia;

12. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, notably the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

13. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the Pacific Islands Forum;

14. *Welcomes*, in this regard, the accession by New Caledonia to the status of observer in the Pacific Islands Forum, continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the Pacific Islands Forum;

15. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

16. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its sixtieth session.

E. Question of Tokelau

Recommendation of the Special Committee

180. The text of draft resolution A/AC.109/2004/L.10, adopted by the Special Committee at its 7th meeting, on 16 June 2004, appears below in the form of a recommendation of the Special Committee to the General Assembly.

Draft resolution V
Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau,[8]

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Noting also with appreciation the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Recalling the inauguration in 1999 of a national legislative body, the General Fono, based on village elections by universal adult suffrage and the assumption by that body in June 2003 of full responsibility for the Tokelau budget,

Recalling also the report of the United Nations mission dispatched in August 2002 to Tokelau at the invitation of the Government of New Zealand and the representatives of Tokelau,

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories and that, as a case study pointing to successful cooperation for decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

Recalling that New Zealand and Tokelau signed in November 2003 a document entitled "Joint statement of the principles of partnership", which sets out in writing, for the first time, the rights and obligations of the two partner countries,

Recalling also the decision of the General Fono at its meeting in November 2003, following extensive consultations undertaken in all three villages, to explore formally with New Zealand the option of self-government in free association,

1. *Notes* that Tokelau remains firmly committed to the development of self-government and to an act of self-determination that would result in Tokelau assuming a status in accordance with the options on future status for Non-Self-

Governing Territories contained in principle VI of the annex to General Assembly resolution 1541 (XV) of 15 December 1960;

2. *Welcomes* the substantial progress made in the past year towards the devolution of power to the three taupulega (village councils), in particular the delegation of the Administrator's powers to the three taupulega with effect from 1 July 2004 and the assumption by each taupulega from that date of full responsibility for the management of all its public services;

3. *Notes in particular* the decision of the General Fono in November 2003, following extensive consultations in all three villages and a meeting of the constitutional committee of Tokelau, to explore formally with New Zealand the option of self-government in free association, and the discussions now under way between Tokelau and New Zealand pursuant to the General Fono decision;

4. *Notes* that the General Fono has endorsed a series of recommendations of the special constitutional workshop held in Tokelau in October 2003 with the support of the United Nations Development Programme relating to Tokelau's Constitution, the role and functioning of the General Fono, the judicial system and international human rights conventions;

5. *Acknowledges* Tokelau's initiative in devising a strategic economic development plan for the period 2002-2004 to advance its capacity for self-government;

6. *Also acknowledges* the continuing assistance that New Zealand has committed to promoting Tokelau's self-government as well as the cooperation of the United Nations Development Programme;

7. *Further acknowledges* Tokelau's need for continued reassurance, given the cultural adjustments that are taking place with the strengthening of its capacity for self-government and, since local resources cannot adequately cover the material side of self-determination, the ongoing responsibility of Tokelau's external partners to assist Tokelau in balancing its desire to be self-reliant to the greatest extent possible with its need for external assistance;

8. *Welcomes* the establishment of an international trust fund to support Tokelau's future development needs, and urges all Member States and international and regional agencies to contribute to the fund and thereby lend practical support to assist this emerging country in overcoming the problems of smallness, isolation and lack of resources;

9. *Welcomes* the assurance of the Government of New Zealand that it will meet its obligations to the United Nations with respect to Tokelau and abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

10. *Also welcomes* the cooperative attitude of the other States and territories in the region towards Tokelau, its economic and political aspirations and its increasing participation in regional and international affairs;

11. *Further welcomes* Tokelau's associate membership in the United Nations Educational, Scientific and Cultural Organization and its recent accession to membership in the Forum Fisheries Agency;

12. *Calls upon* the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops its economy and governance structures in the context of its ongoing constitutional evolution;

13. *Notes with satisfaction* the invitation of the Ulu o Tokelau to the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to attend the workshop of the Special Constitutional Committee on Tokelau to be held in October 2004 in the Tokelau Islands;

14. *Requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its sixtieth session.

F. Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

Recommendations of the Special Committee

181. The text of consolidated draft resolution A/AC.109/2004/L.11, adopted by the Special Committee at its 8th meeting, on 17 June 2004, appears below in the form of recommendations of the Special Committee to the General Assembly.

Draft resolution VI
Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

A
General

The General Assembly,

Having considered the questions of the Non-Self-Governing Territories of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[9]

Recalling all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its fifty-eighth session on the individual Territories covered by the present resolution,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the

peoples concerned and in conformity with the clearly defined principles contained in resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the General Assembly,

Recalling General Assembly resolution 1541 (XV), containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

Expressing its concern that more than forty-three years after the adoption of the Declaration there still remain a number of Non-Self-Governing Territories,

Conscious of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2010 and the plan of action for the Second International Decade for the Eradication of Colonialism,[10]

Recognizing that the specific characteristics and the sentiments of the peoples of the Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Taking note of the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland on the Non-Self-Governing Territories under its administration,[11]

Taking note also of the stated position of the Government of the United States of America on the Non-Self-Governing Territories under its administration,[12]

Noting the constitutional developments in some Non-Self-Governing Territories about which the Special Committee has received information,

Aware of the usefulness both to the Territories and to the Special Committee of the participation of elected and appointed representatives of the Territories in the work of the Special Committee,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must take place with the active involvement and participation of the people of that Territory, under the supervision of the United Nations, on a case-by-case basis, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained,

Aware of the importance of international financial services for the economies of some of the Non-Self-Governing Territories,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including their participation in the work of regional organizations,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the Territories, that some Territories have not received a United Nations visiting mission for a long time and that no visiting missions have

been sent to some of the Territories, and considering the possibility of sending further visiting missions to the Territories at an appropriate time and in consultation with the administering Powers,

Mindful also that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for it to be apprised by the administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

Recognizing the need for the Special Committee to embark actively on a public awareness campaign aimed at assisting the peoples of the Territories in gaining an understanding of the options of self-determination,

Mindful, in this connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters and other venues, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate, and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in their success, while recognizing the need for reviewing the role of those seminars in the context of a United Nations programme for ascertaining the political status of the Territories,

Mindful also that, by holding a Pacific regional seminar in Madang, Papua New Guinea, from 18 to 20 May 2004, it was able to hear the views of the representatives of the Territories and Member States as well as organizations and experts in the region, in order to review the political, economic and social conditions in the Territories,

Conscious of the particular vulnerability of the Territories to natural disasters and environmental degradation and, in this connection, bearing in mind the programmes of action of the United Nations Conference on Environment and Development,[13] the World Conference on Natural Disaster Reduction,[14] the Global Conference on the Sustainable Development of Small Island Developing States,[15] the International Conference on Population and Development,[16] the United Nations Conference on Human Settlements (Habitat II),[17] the World Summit on Sustainable Development[18] and other relevant world conferences,

Noting with appreciation the contribution to the development of some Territories by specialized agencies and other organizations of the United Nations system,

Recalling the ongoing efforts of the Special Committee in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

1. *Reaffirms* the inalienable right of the peoples of the Territories to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Reaffirms also* that, in the process of decolonization, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Reaffirms further* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection reiterates its long-standing call for the administering Powers, in cooperation with the territorial Governments, to promote political education in the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in General Assembly resolution 1541 (XV);

4. *Requests* the administering Powers to continue to transmit to the Secretary-General information called for under Article 73 *e* of the Charter;

5. *Stresses* the importance of the Special Committee being apprised of the views and wishes of the peoples of the Territories and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Non-Self-Governing Territories and their respective administering Powers;

6. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and recommends that priority continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. *Requests* the Special Committee to continue to follow closely the developments in legislation in the area of international financial services and its impact on the economy in some of the Territories;

8. *Requests* the Territories and the administering Powers to take all necessary measures to protect and conserve the environment of the Territories under their administration against any environmental degradation, and once again requests the specialized agencies concerned to continue to monitor environmental conditions in those Territories;

9. *Welcomes* the participation of the Non-Self-Governing Territories in regional activities, including the work of regional organizations;

10. *Stresses* the importance of implementing the plan of action for the Second International Decade for the Eradication of Colonialism,[19] in particular by expediting the application of the work programme for the decolonization of each Non-Self-Governing Territory, on a case-by-case basis;

11. *Invites* the administering Powers to participate fully in the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples;

12. *Urges* Member States to contribute to the efforts of the United Nations to usher in a world free of colonialism within the Second International Decade for the

Eradication of Colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

13. *Notes* that some Non-Self-Governing Territories have expressed concern at the procedure followed by one administering Power, contrary to the wishes of the Territories themselves, namely, of amending or enacting legislation for the Territories through Orders in Council, in order to apply to the Territories the international treaty obligations of the administering Power;

14. *Takes note* of the constitutional reviews in the Territories administered by the United Kingdom of Great Britain and Northern Ireland and led by the territorial Governments;

15. *Reiterates its requests* to the Secretary-General to report to the General Assembly on the implementation of decolonization resolutions since the proclamation of the Second International Decade for the Eradication of Colonialism for the purpose of a midterm review in 2005;

16. *Requests* the Special Committee to continue to examine the question of the small Territories and to report thereon to the General Assembly at its sixtieth session with recommendations on appropriate ways to assist the peoples of the Territories in exercising their right to self-determination.

B

Individual Territories

The General Assembly,

Referring to resolution A above,

I. American Samoa

Taking note of the report by the administering Power that most American Samoan leaders express satisfaction with the Territory's present relationship with the United States of America, as reflected in statements made by those leaders in the regional seminars held in Havana, Cuba, Nadi, Fiji, and Madang, Papua New Guinea, in 2001, 2002 and 2004, respectively,

Noting that the Government of the Territory continues to take steps to increase revenue and decrease government expenditure,

Noting also that the Territory, similar to isolated communities with limited funds, continues to experience a lack of adequate medical and other infrastructural facilities,

1. *Notes* that the Department of the Interior of the United States of America provides that the Secretary of the Interior has administrative jurisdiction over American Samoa;

2. *Calls upon* the administering Power to continue to assist the territorial Government in the economic and social development of the Territory, including measures to rebuild financial management capabilities and strengthen other governmental functions of the Government of the Territory, and welcomes the assistance from the administering Power to the Territory in its recovery efforts following the recent floods;

3. *Welcomes* the invitation extended to the Special Committee by the Governor of American Samoa at the Pacific regional seminar held in Madang, Papua New Guinea, from 18 to 20 May 2004, to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission and requests the Chairman of the Committee to take all the necessary steps to that end;

II. Anguilla

Taking note of the constitutional review process led by the territorial Government,

Recalling the holding of the 2003 Caribbean regional seminar in Anguilla, the first time that the seminar has been held in a Non-Self-Governing Territory,

Noting the desire of the territorial Government and the people of Anguilla for a visiting mission by the Special Committee,

Aware of the efforts of the Government of Anguilla to continue to develop the Territory as a viable offshore centre and well-regulated financial centre for investors, by enacting modern company and trust laws, as well as partnership and insurance legislation, and computerizing the company registry system,

1. *Welcomes* the constitutional review process led by the Government of Anguilla in cooperation with the administering Power;

2. *Recalls* the cooperation of the territorial Government of Anguilla and the United Kingdom of Great Britain and Northern Ireland in holding the 2003 Caribbean regional seminar in Anguilla, and notes that the staging of the seminar in a Non-Self-Governing Territory for the first time, as well as a town hall meeting between the people of Anguilla and the Special Committee during the seminar, contributed to its success;

III. Bermuda

Noting the results of the independence referendum held on 16 August 1995, and conscious of the different viewpoints of the political parties of the Territory on the future status of the Territory,

1. *Welcomes* the agreement reached in June 2002 between the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Territory formally transferring the former military base lands to the territorial Government, and the provision of financial resources to address some of the environmental problems;

2. *Decides* to closely follow the territorial consultations on the future status of Bermuda and to facilitate assistance to the Territory in a public educational programme, if requested, as well as to hold consultations and to make all necessary arrangements to have a visiting mission to the Territory;

IV. British Virgin Islands

Taking note of the constitutional review process led by the territorial Government,

Noting that the Territory continues to emerge as one of the world's leading offshore financial centres,

Welcomes the constitutional review process led by the Government of the British Virgin Islands in cooperation with the administering Power;

V. Cayman Islands

Taking note of the constitutional review process led by the territorial Government,

Noting the approval by the Cayman Islands Legislative Assembly of the Territory's Vision 2008 Development Plan, which aims to promote development that is consistent with the aims and values of Caymanian society,

Welcomes the continuing constitutional review process led by the Government of the Cayman Islands in cooperation with the administering Power;

VI. Guam

Recalling that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

Recalling further the requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee is concerned, pending the self-determination of the Chamorro people and taking into account their legitimate rights and interests,

Aware that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act are no longer continuing and that Guam has established the process for a self-determination vote by the eligible Chamorro voters,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

Aware of the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture and other viable activities,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory, and noting the recommendation of the 1996 Pacific regional seminar for sending a visiting mission to Guam,[20]

1. *Calls upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the plebiscite of 1987 and as provided for in Guam law, encourages the administering Power and the territorial Government of Guam to enter into negotiations on the

matter, and requests the administering Power to inform the Secretary-General of progress to that end;

2. *Requests* the administering Power to continue to assist the elected territorial Government in achieving its political, economic and social goals;

3. *Also requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory;

4. *Further requests* the administering Power to continue to recognize and respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam, and to take all necessary measures to respond to the concerns of the territorial Government with regard to the question of immigration;

5. *Requests* the administering Power to cooperate in establishing programmes specifically intended to promote the sustainable development of economic activities and enterprises, noting the special role of the Chamorro people in the development of Guam;

6. *Also requests* the administering Power to continue to support appropriate measures by the territorial Government aimed at promoting growth in commercial fishing and agricultural and other viable activities;

VII. Montserrat

Taking note with interest of the statements made and the information on the political and economic situation in Montserrat provided by the Chief Minister of the Territory to the Caribbean regional seminar, held at The Valley, Anguilla, from 20 to 22 May 2003,

Noting with concern the dire consequences of a volcanic eruption, which led to the evacuation of three quarters of the Territory's population to safe areas of the island and to areas outside the Territory, in particular Antigua and Barbuda and the United Kingdom of Great Britain and Northern Ireland, and which continues to have enduring consequences for the economy of the island,

Welcoming the continued assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

Noting the continuing efforts of the administering Power to deal with the consequences of the volcanic eruption,

Noting with concern that a number of the inhabitants of the Territory continue to live in shelters because of volcanic activity,

Taking note of the constitutional review process led by the territorial Government,

1. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

2. *Welcomes* the continuing constitutional review process led by the Government of Montserrat in cooperation with the administering Power;

VIII. Pitcairn

Taking into account the unique nature of Pitcairn in terms of population and area,

Welcoming the participation of a representative of the Mayor of Pitcairn in the Pacific regional seminar, held in Madang, Papua New Guinea, from 18 to 20 May 2004, and taking note of the positive developments in the Territory,

Requests the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the representatives of Pitcairn on how best to support their economic security;

IX. Saint Helena

Taking into account the unique character of Saint Helena, its population and its natural resources,

Taking note of the constitutional review process led by the territorial Government,

Aware of the efforts of the administering Power and the territorial authorities to improve the socio-economic conditions of the population of Saint Helena, in particular in the sphere of food production, continuing high unemployment and limited transport and communications,

Noting with concern the problem of unemployment on the island and the joint action of the administering Power and the territorial Government to deal with it,

1. *Welcomes* the continuing constitutional review process led by the Government of Saint Helena in cooperation with the administering Power;

2. *Requests* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the socio-economic development challenges, including the high unemployment and the limited transport and communications problems;

X. Turks and Caicos Islands

Noting the results of the general election held in April 2003,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities, as well as its problems caused by illegal immigration and the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money-laundering,

Taking note of the constitutional review process led by the territorial Government,

Welcomes the continuing constitutional review process led by the Government of the Turks and Caicos Islands in cooperation with the administering Power;

XI. United States Virgin Islands

Noting the continuing interest of the territorial Government in seeking associate membership in the Organization of Eastern Caribbean States and observer

status in the Caribbean Community and the pending request by the Territory to the administering Power for the delegation of authority to proceed, as well as the 2003 resolution of the territorial legislature in support of that request,

Noting also the necessity of further diversifying the economy of the Territory,

Noting further the efforts of the Government of the Territory to promote the Territory as an offshore financial services centre,

Recalling that the Territory has not received a United Nations visiting mission since 1977, and bearing in mind the formal request of the Territory for such a mission in 1993 to assist the Territory in its political education process and to observe the Territory's only referendum on political status options in its history,

Noting the ongoing cooperation between the territorial Government and Denmark on the exchange of artefacts and archives,

1. *Requests* the administering Power to continue to assist the territorial Government in achieving its political, economic and social goals;

2. *Once again requests* the administering Power to facilitate the participation of the Territory, as appropriate, in various organizations, in particular the Organization of Eastern Caribbean States, the Caribbean Community and the Association of Caribbean States;

3. *Calls* for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

4. *Notes* the economic difficulties being experienced by the territorial Government and the fiscal austerity measures being implemented, and others proposed, to relieve the Territory's cash flow shortage, and calls upon the administering Power to continue to provide every assistance required by the Territory to further alleviate the difficult economic situation, including, inter alia, the provision of debt relief and loans;

5. *Notes also* the position of the territorial Government, including its articulation in resolution 1609 of 9 April 2001 of the 24th Legislature of the United States Virgin Islands, opposing the assumption by the administering Power of submerged land in territorial waters, having regard to relevant resolutions of the General Assembly on the ownership and control of natural resources, including marine resources, by the people of the Non-Self-Governing Territories, and its calls for the return of those marine resources within its jurisdiction.

G. Dissemination of information on decolonization

Recommendation of the Special Committee

182. The text of draft resolution A/AC.109/2004/L.4, adopted by the Special Committee at its 3rd meeting, on 7 June 2004, appears below in the form of a recommendation of the Special Committee to the General Assembly.

Draft resolution VII
Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,[21]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular General Assembly resolution 57/139 of 11 December 2002,

Recognizing the need for flexible, practical and innovative approaches towards reviewing the options of self-determination for the peoples of Non-Self-Governing Territories with a view to achieving the goals of the Second International Decade for the Eradication of Colonialism,

Reiterating the importance of dissemination of information as an instrument for furthering the aims of the Declaration, and mindful of the role of world public opinion in effectively assisting the peoples of Non-Self-Governing Territories to achieve self-determination,

Recognizing the role played by the administering Powers in transmitting information to the Secretary-General in accordance with the terms of Article 73 *e* of the Charter of the United Nations,

Aware of the role of non-governmental organizations in the dissemination of information on decolonization,

1. *Approves* the activities in the field of dissemination of information on decolonization undertaken by the Department of Public Information and the Department of Political Affairs of the Secretariat, in accordance with the relevant resolutions of the United Nations on decolonization;

2. *Considers it important* to continue its efforts to ensure the widest possible dissemination of information on decolonization, with particular emphasis on the options of self-determination available for the peoples of Non-Self-Governing Territories;

3. *Requests* the Department of Political Affairs and the Department of Public Information to take into account the suggestions of the Special Committee to continue their efforts to take measures through all the media available, including publications, radio and television, as well as the Internet, to give publicity to the work of the United Nations in the field of decolonization and, inter alia:

(a) To continue to collect, prepare and disseminate, particularly to the Territories, basic material on the issue of self-determination of the peoples of Non-Self-Governing Territories;

(b) To seek the full cooperation of the administering Powers in the discharge of the tasks referred to above;

(c) To maintain a working relationship with the appropriate regional and intergovernmental organizations, particularly in the Pacific and Caribbean regions, by holding periodic consultations and exchanging information;

(d) To encourage the involvement of non-governmental organizations in the dissemination of information on decolonization;

(e) To report to the Special Committee on measures taken in the implementation of the present resolution;

4. *Requests* all States, including the administering Powers, to continue to extend their cooperation in the dissemination of information referred to in paragraph 2 above;

5. *Requests* the Special Committee to follow the implementation of the present resolution and to report thereon to the General Assembly at its sixtieth session.

Notes

[1] A/59/71.

[2] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23), chap. V.

[3] A/59/64.

[4] E/2004/47.

[5] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23), chap. VI.

[6] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23), chap. VIII.

[7] A/AC.109/2114, annex.

[8] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23), chap. X.

[9] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23), chap. IX.

[10] A/56/61, annex.

[11] Statement by the representative of the United Kingdom of Great Britain and Northern Ireland at the 2nd meeting of the Special Political and Decolonization Committee (Fourth Committee), on 6 October 2003 (see A/C.4/58/SR.2).

[12] Statement by the representative of the United States of America at the 72nd plenary meeting of the fifty-eighth session of the General Assembly (see A/58/PV.72).

[13] See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolution adopted by the Conference*.

[14] See A/CONF.172/9, chap. I.

[15] See *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April-6May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I.

[16] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[17] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

[18] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1), chap. I, resolution 2, annex.

[19] A/56/61, annex.

[20] See A/AC.109/2058, para. 33 (20).

[21] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 23* (A/59/23), chap. III.

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